



To: Members of the Communities and Environment Scrutiny Committee

Agenda

Dear Member

COMMUNITIES AND ENVIRONMENT SCRUTINY COMMITTEE

A meeting of the Communities and Environment Scrutiny Committee will be held as follows:

Date: Tuesday 23 April 2024
Time: 5.00 pm
Place: Georgian Room - Kendal Town Hall, Lowther Street,
Kendal, LA9 4DQ

Please note, as agreed with the Chair, a pre-meeting will be held for Committee Members starting at 4.30p.m. in the Georgian Room.

Linda Jones
Chief Legal and Monitoring Officer
Westmorland and Furness Council

Enquiries and requests for supporting papers to:
Adam Moffatt - Democratic Services Officer
Direct Line: 01539 793319
Email: Adam.Moffatt@westmorlandandfurness.gov.uk

MEMBERSHIP

Cllr E Hennessy (Chair)
Cllr B McEwan (Vice-Chair)
Cllr L Baker
Cllr J Boak
Cllr B Cooper

Cllr K Hamilton
Cllr H Hodgson
Cllr H Irving
Cllr G Simpkins

ACCESS TO INFORMATION

Agenda and Reports

Copies of the agenda and Part I reports are available for members of the public to inspect prior to the meeting. Copies will also be available at the meeting.

The agenda and Part I reports are also available on the Westmorland and Furness website

<https://westmorlandandfurness.moderngov.co.uk/mgCommitteeDetails.aspx?ID=261>

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. MEMBERSHIP

To receive details of any changes in membership.

3. DECLARATIONS OF INTEREST/DISPENSATIONS

To receive declarations of interest by members of any interests on respect of items on this agenda, and to consider any dispensations.

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registerable or other interests.

4. EXCLUSION OF PRESS AND PUBLIC

To consider whether the press and public should be excluded from the meeting during consideration of any item on the agenda.

5. MINUTES OF THE PREVIOUS MEETING

To consider the minutes of the previous meeting held on 6 February 2024 (copy enclosed).

(Pages 5 - 12)

6. COMMUNITY POWER STRATEGY

To receive an update on the Community Power Strategy and provide feedback and input regarding the strategic vision for community power.

(Pages 13 - 26)

7. WATER QUALITY REGULATION

To receive a presentation on water quality regulation, with representations from Environment Agency and United Utilities.

(Pages 27 - 48)

8. BIODIVERSITY NET GAIN AND LOCAL NATURE RECOVERY STRATEGY

To receive a report on Biodiversity Net Gain and Local Nature Recovery Strategy.

(Pages 49 - 130)

9. APPROACH TO HARMONISATION, UPGRADING AND FUTURE-PROOFING OF THE COUNCIL'S LIGHTING STOCK

To receive an update on the Council's approach to harmonising all lighting assets across Westmorland and Furness into one, all-encompassing lighting policy.
(Pages 131 - 144)

10. BUS SERVICE ROUTE IMPROVEMENT PLAN

To receive a report regarding and provide feedback on the current Bus Route Consultation.
(Pages 145 - 160)

11. COMMITTEE UPDATE

To receive a report from the Strategic Policy and Scrutiny Advisor.
(Pages 161 - 178)

12. URGENT ITEMS

To consider any urgent items of business.

13. DATE AND TIME OF NEXT MEETING

The next meeting is scheduled for Monday, 15 July 2024 at 5 p.m. and will be held in the District Council Chamber at Kendal Town Hall.

WESTMORLAND AND FURNESS COUNCIL COMMUNITIES AND
ENVIRONMENT SCRUTINY COMMITTEE

Minutes of a Meeting of the **Communities and Environment Scrutiny Committee**
held on Tuesday, 6 February 2024 at 5.00 pm at District Council Chamber - Kendal
Town Hall - Kendal Town Hall, Lowther Street, Kendal, LA9 4DQ

PRESENT:

Cllr E Hennessy (Chair)
Cllr B McEwan (Vice-Chair)
Cllr L Baker
Cllr H Hodgson
Cllr H Irving
Cllr G Simpkins

Officers in attendance:

**PART I ITEMS CONSIDERED IN THE PRESENCE OF THE
PUBLIC AND PRESS**

33. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cooper and Hamilton.

34. MEMBERSHIP

Councillor Hall attended as substitute for Councillor Cooper.

35. DECLARATIONS OF INTEREST/DISPENSATIONS

No Declarations had been received.

36. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: - That the press and public not be excluded during the consideration of any items on the agenda.

37. MINUTES OF THE PREVIOUS MEETING

RESOLVED: - That the minutes of the previous meeting held on 16 October, 2023 be agreed.

38. CLIMATE ACTION PLAN PART TWO

The Assistant Director of Climate and Natural Environment presented the Climate Action plan Part 2.

She informed the Committee that on the 23rd of January 2024 Cabinet had approved the Climate Change Action Plan Part Two, which was the subsequent part following the Part One that was approved on 11th July 2023.

The Part two action plan had been developed by the Climate and Nature team, working in conjunction with departments across the council, to identify suitable actions to reduce emissions, reduce environmental inequalities and create a climate positive council culture, building on the council's 'ecologically aware' value.

Westmorland and Furness's Shadow Authority confirmed that they faced climate and biodiversity crises on the Wednesday 18th September 2022 which would have potentially catastrophic impacts locally, nationally and internationally.

The motion committed the council to

- (a) reducing its own carbon emissions to net zero as soon as possible;
- (b) working with others to target a net zero carbon Westmorland and Furness by 2037; and
- (c) increasing biodiversity by, for example, restoring natural habitats, restricting invasive species and reducing pollution.

The Council Plan set out the council's values, which included 'Ecologically aware': "we would provide leadership in the drive to become carbon net zero and sustainable'.

As part of wider stakeholder engagement around the development of Westmorland and Furness Council's Climate Action Plan Part 2, there had been extensive internal consultation, as well as significant external consultation.

The Climate and Nature team supported the Portfolio Holder, Cllr Archibald, in developing a series of 'Climate Conversations' as part of the public engagement for the development of this action plan. There were five events held, one in Barrow, Ulverston, Kendal and Penrith where a broad section of councillors helped to support these conversations and encouraged residents to give the council their views on how to tackle climate change. There was also an online session held which was open to all residents.

The 'Climate Conversations' had been the first of a series of events, set out in the Launch Event, that showed the councillors reaching out into their communities. The Climate and Nature team would be supporting their Portfolio Holder and members with 'Nature Conversations' in March.

The Climate and Nature team were also worked closely with the Zero Carbon Cumbria Partnership to develop a workshop with the Cumbria Sustainability Network, a network of local community climate groups.

This iterative plan set out actions the council would undertake over the duration of the plan.

This would be monitored against measurable key performance indices, with regular updates to relevant portfolio holders, and the full governance would be subject to a later paper, outlining the programme of work.

Working with others to target a net zero carbon Westmorland and Furness by 2037 was a very ambitious aim. The council could not do this alone and needed to work in partnership with our businesses, NGOs and communities. Whilst local authorities were only directly responsible for 2-5 per cent of local emissions, through their policies and partnerships they had strong influence over more than a third of emissions in their area (Climate Change Committee, 2020)

The actions were divided into 6 categories – The Way we Live, The Way we Work, The Way we Travel, The Way we Produce Energy, The Way we Use things and the Way we Protect and Enhance Nature.

This was a 5-year plan that would be reviewed regularly and updated annually. With a full review to happen in 2029. The actions were focussed on current actions, short term actions which would take place in the next 5 years and longer-term actions post 2029.

Each action that did not come with externally sourced funding would need to go through the council's decision-making process at the appropriate time and require a full business case.

Given that this was a collaborative process and many of the factors were outside of the council's direct control, They needed to be adaptive to changes, for example, in government policy, global events and their residents' requirements.

A question was raised as to whether they had the Implementation, development and resources to put the plan in place.

The Assistant Director of Climate and Natural Environment informed the Committee that 8 roles had been identified within her team to support with the work and they would also be looking in to grant opportunities.

An additional question was raised regarding the predicted trajectory of the strategy and whether this was realistic.

Councillor Archibald stated that they had committed to with other groups in achieving this trajectory and they would be presented with plans from the ZCCP on 20th March relating to this.

RESOLVED: - To support Cabinet's decision to approve part two of the Climate Change Action Plan and affirm the commitments set out in the plan.

39. BIODIVERSITY NET GAIN

Alistair Blackshaw presented the report on Biodiversity Net Gain.

The report followed on from the Cabinet paper in December 2023 which sought recognition of the work being undertaken by Westmorland and Furness Council (WFC) to ensure the Council met its enhanced 'biodiversity duty' as introduced in the Environment Act 2021, which meant that we, as a council must 'consider what we can do to 'conserve and enhance' biodiversity'.

In addition to the enhanced biodiversity duty, the Environment Act 2021 amended the Town and Country Planning Act 1990 so that every grant of planning permission, with certain exemptions, must deliver at least a 10% increase in biodiversity value compared with the pre-development value of the site. This approach to development management was called Biodiversity Net Gain (BNG) and the new rules would take effect for major developments in January/February 2024 (exact date TBC). Part of the enhanced biodiversity duty was to report on the BNG delivery to Central Government every five years, with the first deadline being January 2026.

The new BNG regime presented a key challenge for WFC: as a Local Planning Authority they must be able to determine planning applications in accordance with the new rules once BNG is mandated. The BNG regime also presented a range of opportunities that they could take advantage of as part of their wider remit as a Local Authority and Responsible Authority for the Cumbria-wide Local Nature Recovery Strategy (LNRS).

The report also described the current situation activity in relation to their protected river habitats that were affected by 'Nutrient Neutrality'. This had strong links to BNG in relation to the protection and improvement of habitats, operation of our development management process and the development of tradable mitigation.

The purpose of the report was to inform the Communities and Environment Overview and Scrutiny Committee of the actions they had taken to prepare and outline future plans to leverage the opportunities presented by the new regime. A presentation was provided giving an overview of BNG.

A more detailed briefing on Biodiversity and Local Nature Recovery Strategy would be provided at the next Community and Environment Overview and Scrutiny Committee meeting and views from members would be sought on what additional information they would like to receive at that meeting.

A question was raised asking if they would be working with partners such as Cumbria Wildlife Trust.

Alistair advised they would definitely be looking in to working with local partners.

An additional question was raised regarding how they could approach developers with their goal of 20%

Councillor Archibald advised they would lead by example with their own developments and also build this into their local plan.

RESOLVED: - To acknowledge and support the preparations for BNG in response to the statutory requirements of the Environment Act 2021.

40. A LOCAL PLAN FOR WESTMORLAND AND FURNESS

The Senior Manager Housing Standards & Services provided a presentation on the Local Plan.

He advised that they were currently in the scoping and early engagement phase which would run until October, 2024, they then would have 2 years to put the plan together to then adopt in 2027.

Since Vesting day they had; -

- Built capacity – appointed an interim lead and programme management support
- Combined 4 teams preparing four plans into one team preparing one plan;
- Reviewed and brought together all existing local plan evidence in one place
- Engaged with DHLUC and the Planning Advisory Service and put forward their case to be a front runner authority to pioneer plan preparation under the new system;
- Maximised the benefits of unitary status by ensuring that all relevant departments within the new Council were aligned behind the plan;
- Developed proposals for governance and decision making for the Local Plan and for Neighbourhood Plans
- Begun the process of preparing a Strategic Housing and Economic Needs assessment
- Begun developing a Communication & Engagement Strategy
- Commenced the Commissioning process for a Design Code;
- Commenced the preparation of a Supplementary Planning Document for Barrow Marina Village to enable the delivery of 800 new homes on brownfield land;
- Progressed Neighbourhood Plans for Penrith and Allithwaite and Cartmel.

They had a vision in our Council plan – to deliver it, the plan needed to plan for;

- A place which enabled economic activity which delivers the opportunities for people to build a life and the resource to sustain services and places;
- A place with a balanced population with more working people and young families and where people were engaged and fulfilled throughout their lives;
- A place which was environmentally sustainable and plays its part in meeting global climate change and biodiversity challenges;

- A place in which all of the different communities were empowered to develop local solutions to local issues;

The local plan was critical. Development was critical to deliver change – and they needed to think about the scale of development they wanted to plan for – and what that meant.

The committee were provided with information regarding the Communication and Engagement Strategy.

A question was raised as to whether they envisaged any areas of conflict.

The Senior Manager Housing Standards & Services stated there would be some tensions in what they wanted from the development and what the development industry would pay for. They also needed to make decisions on where growth would happen.

RESOLVED: - To note the information.

41. HOMELESSNESS AND ROUGH SLEEPING STRATEGY

The Assistant Director of Housing Officer, Amanda Brierly and Claire Watters presented the Homelessness and Rough Sleeping Strategy.

They advised the Committee that the provision of advice and support to prevent and relieve homelessness was a statutory duty. The strategy set out the Council's key objectives and included an action plan outlining the steps that would be taken to achieve the objectives.

The development of a Homelessness Strategy was required under the Homelessness Act 2002. It was considered best practice to include Rough Sleeping. The strategy contained statistical information to inform service development and delivery including data relating to rough sleepers.

The provision of support in safe accommodation for people escaping domestic abuse was a requirement under the Domestic Abuse Act 2021. The strategy outlined the Council's approach to supporting victims of domestic abuse presenting as homeless.

Both nationally and within Westmorland and Furness homelessness presentations were increasing as the demand for affordable accommodation outstripped supply. The strategy identified the current position with a view to working with partners to ensure an adequate supply of interim and settled accommodations were available.

The strategy set out how the Council would work with partners to prevent homelessness and the actions it would take to ensure people experiencing homelessness were supported to access accommodation that met their needs.

The strategy would be presented to Cabinet for approval on 26 March 2024.

A question was raised regarding the issues with empty properties.

The Assistant Director of Housing advised that they wanted to develop an empty homes strategy but they needed the staff and resources to do this. They were looking into KPI's and how they could be measured going forward.

An additional question was raised asking why right to buy properties were not being replaced.

The Committee were advised that they were currently exploring options and sometimes it was difficult to get the funding together to replace the properties.

The Committee agreed they would liaise with the Children and Young People Scrutiny to arrange a joint piece of work on this topic.

RESOLVED: - To note the development of a Westmorland and Furness Homelessness and Rough Sleeping Strategy.

42. HIGHWAYS CUSTOMER ENGAGEMENT

The Assistant Director of Sustainable Transport and Highways presented the Highways Customer Engagement Report.

The presentation provided an update on the Council's approach to customer engagement regarding highways, this included the Customer Strategy, Social Media, and the Highways Asset Management System.

The Committee were presented with information on the Customer Development Strategy, the HIAMS system and were informed they were looking into improving and developing the website to make it as efficient and effective as possible.

Social media had helped send messages out to the public and it had significant reach.

A question was raised as to how they could encourage members of the public to use HIAMS.

The Committee were advised that the system was well used and well known within Westmorland and Furness and it was also promoted through Social media.

An additional question was raised in regards to the monitoring of Ash Dieback.

The Committee were advised that they were currently prioritising high speed routes first and would report back as they progressed.

RESOLVED: - To note the report and presentation.

43. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

The Strategic Policy and Scrutiny Advisor presented the Committee Work Programme.

He reported that the relevant items from the current Forward Plan of Key Decisions, 1 February 2024 – 31 May 2024 had been attached as an appendix to the report.

Members had been asked to consider the Forward Plan and decide whether they should be reflected in the Committee's work programme.

Future iterations of the Forward Plan could be used to identify potential areas for scrutiny activity or where further information sharing was required.

The draft Work Programme had been attached as an appendix to the report.

Angela Jones advised the committee that the Forward Plan had been updated and the Customer and Digital Strategy would now be taken to Cabinet in April.

RESOLVED: -

1. To note the Cabinet Forward Plan
2. To Note the Work Programme.

44. URGENT ITEMS

There were no Urgent Items.

45. DATE AND TIME OF NEXT MEETING

The date and time of the next meeting was confirmed as Tuesday, 23 April 2024. Members agreed that the meeting would start at 5 p.m. and the location would be confirmed ahead of the publication of the next agenda.

The meeting ended at 7.24 pm

Report Title	Community Power
Meeting	Communities and Environment Scrutiny Committee
Meeting Date	23 April 2024
Report Author	Tracey Ingham, Assistant Director Safe and Strong Communities
Lead Cabinet Member(s)	Cllr Virginia Taylor - Cabinet Member for Sustainable Communities and Localities
Wards Affected	All
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	Appendix 1: Community Power update presentation

1. Executive Summary

- 1.1 The Community Power project has progressed significantly following the presentation to scrutiny in 2023.
- 1.1.1 New Local commissioned as our strategic partner
 - 1.1.2 Project commencement and progress with engagement activity
 - 1.1.3 Identification of pathfinder activity progressing
 - 1.1.4 Successful growth bid
 - 1.1.5 Training package commissioned
- 1.2 The attached presentation updates the committee on the project and its next steps.

2. Recommendations

For the reasons set out in this report, Communities and Environment Scrutiny Committee is recommended to:

- 2.1 Receive the Community Power project update including;
- 2.1.1 Project timeline
 - 2.1.2 Engagement activity undertaken,
- 2.2 Provide feedback and input regarding the strategic vision for community power

3. Information: the Rationale & Evidence for the Recommendations

- 3.1 The Community Power project is progressing at pace and the vision and strategy will be taken to Cabinet in July and Full Council in September.
- 3.2 Pathfinders for the organisation are currently being identified and scoped, to ensure a spread of activity organisationally and geographically. This will include activity focussing on place, system wide projects and internal processes.

4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)

- 4.1 For communities – confident, empowered, resilient communities. Outcomes for the project include:
 - i. Strong, vibrant, and resilient communities with greater social connectedness
 - ii. Communities are happier, and healthier with better long-term health outcomes.

5. Consultation Outcomes

- 5.1 There has been wide ranging engagement including with Cabinet, Locality Boards, officers, partners, local stakeholders and communities through workshops, one-to-one interviews, community drop ins and facilitated events. The headline findings from this activity will be provided to the Committee in the presentation.

6. Alternative Options Considered

- 6.1 **Do nothing** – Continue to operate in the current way we do and not move to develop community powered ways of working beginning with this initial phase of developing a vision and strategy. This is not feasible as work has already commenced and expectation raised. In addition, this is built into the community focus element of the Council’s operating model.

7. Reasons for the Recommendations

- 7.1 To ensure Scrutiny can continue to influence and shape the strategy and vision for Community Power in Westmorland and Furness.

8. Climate and Biodiversity Implications

- 8.1 The development of a vision and strategy will not result in climate and biodiversity implications however, the subsequent ways of working, projects and pathfinders initiated will and as such an impact assessment will be required as part of the projects. It is expected that working with our communities in this way will have a positive impact on climate and biodiversity as we continue to work to have strong, vibrant, and resilient communities that are happier, and healthier with better long-term health outcomes.

9. Legal and Governance Implications

- 10.** There are no direct legal and governance implications arising from the report. Advice will be provided in relation to any arising legal and governance aspects of the Community Power project as it develops. (JK 15.04.24)**Human Resources Health Wellbeing and Safety Implications**

10.1 There are no HR Health Wellbeing and Safety implications based on the information contained in the report.

11. Financial Implications

11.1 There are no Financial Implications based on the information contained within the report.

12. Equality and Diversity Implications (please ensure these are compliant with the EIA Guidance)

13. An equalities screening has been completed. Developing the Council's ways of working in this way will ensure communities are at the centre of our ways of working and decision making, including those with protected characteristics therefore having a positive impact on marginalised communities.

All Equality Protected Characteristics will have positive impacts through the outcomes, for this programme.

14. Background Documents

14.1 None

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Westmorland
& Furness
Council

Westmorland & Furness – Developing an approach to Community Power



Update to Communities and Environment Scrutiny Committee

westmorlandandfurness.gov.uk



Background

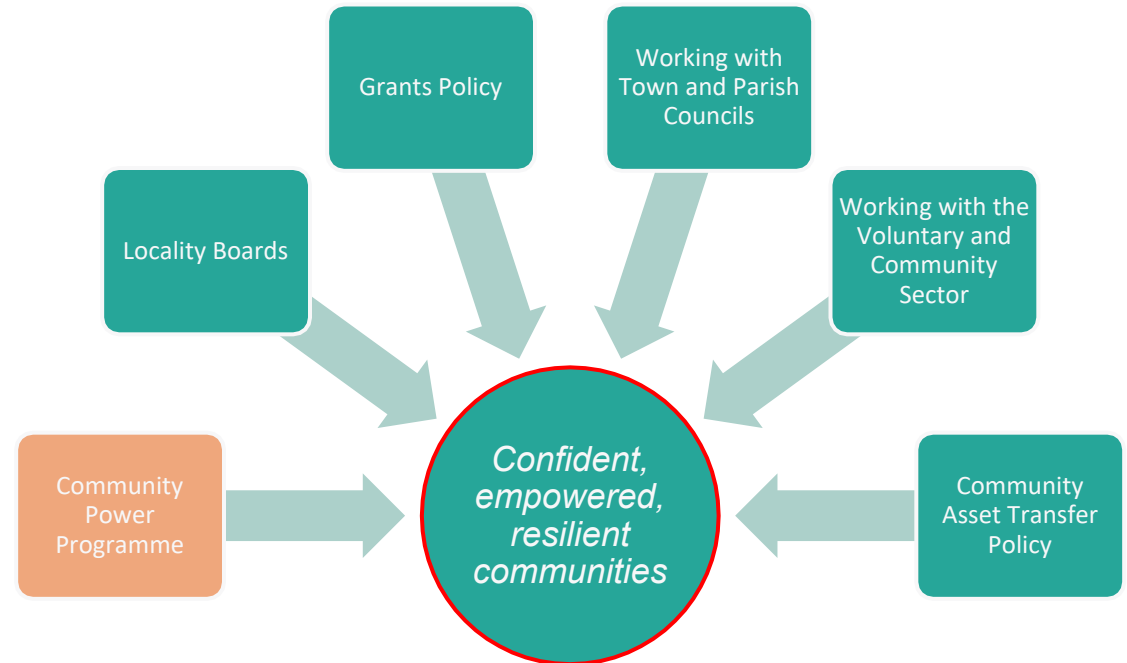


The Council has put communities as the heart of everything it does, outlining a priority in the Council Plan for:

Confident, empowered, resilient communities:

- the council will work closely with the residents and businesses it serves to enable them to shape their own destiny and thrive*
- building strong links with parish and town councils and keeping local service centres*
- effective local representation and a thriving voluntary and third sector are critical*

There are many different but interlinked elements to this work:



What do we mean by community power?



Community power is based on the principle that communities have a wealth of knowledge and assets within themselves, which if understood and nurtured by practitioners and policymakers, has the potential to strengthen resilience and enable prevention-focused public services.'

It is:

What happens when residents are able to shape and influence the things, they want to happen to improve their lives and that of their communities and neighbourhoods. Our job is to help to create the conditions, connections, places and spaces where people can come together and discover their gifts and strengths, to look out for each other and create vibrant places where people want to live, where everyone feels part of their community, and no-one is left behind. This already happens all over W&F from crocheting groups, to festival committees, to dog walkers, to flood resilience volunteers, to breakfast clubs to pocket park play groups and more

The outcomes we are seeking to achieve from this approach is that:

Communities are/will be:

- Strong, vibrant, and resilient with greater social connectedness
- Are happier and healthier with better long-term health outcomes.



Traditional council	Community-powered council
People are considered passive: 'customers', 'residents', 'clients', or 'users'	People are considered active: 'citizens', 'communities', or 'participants'
Transactional relationship: "you pay your taxes, and we provide your services"	Reciprocal relationship: "what can we do together to make things better?"
Consultative engagement style: "do you approve of this?"	Deliberative engagement style: "what do you want to do together?"
Prioritising institutional expertise: as the source of best practice	Combining institutional and community expertise: to gain diverse insights
Micro-managerial and hierarchical partner: with local organisations	Facilitative and collaborative partner: with local groups and organisations
Siloed departmental working style: with one-directional, vertical connections to core leadership	Joined-up working style: shaped by a shared vision for change and horizontal connections
Hub-and-spokes leadership structure: where everything is managed at the top	Distributed networks of leadership: where everyone has a voice
Risk-averse culture: emphasising blame and regulation	Experimental, learning culture: emphasising trust and development
Commissioning model which incentivises competition: uniformity, and a focus on service outputs	Collaboration model which incentivises flexibility: and a focus on improving community outcomes

The Council's Community Power Programme



Co-production approach to develop a 2 phased programme (to run consecutively)

1. Developing our Strategic Approach

- Develop & co-produce a shared Vision, Strategy and Delivery Plan
- Develop the 3 Routes to Community Power:
 - i) Community Voice & Decision Making
 - ii) Community Strengths and Community Collaboration
 - iii) Organisational Culture
- Package of training and development to roll out across the Council
- Create a Residents Pledge

2. Testing & Embedding the New Ways of Working

Work to:

- Encourage community participation in local decision making and the co-design of services
- Support and enable thriving communities to create strong community cohesion
- Support community resources / assets which build health and wellbeing and prevent, reduce or delay need for formal commissioned services
- Develop and enable resilient communities & their ability to mobilise and respond in an emergency
- Use intelligence from across the organisation to help shape ongoing improvements to services



PURPOSE:

To build a shared understanding and forward plan for Community Power in Westmorland & Furness

KEY DELIVERABLES:

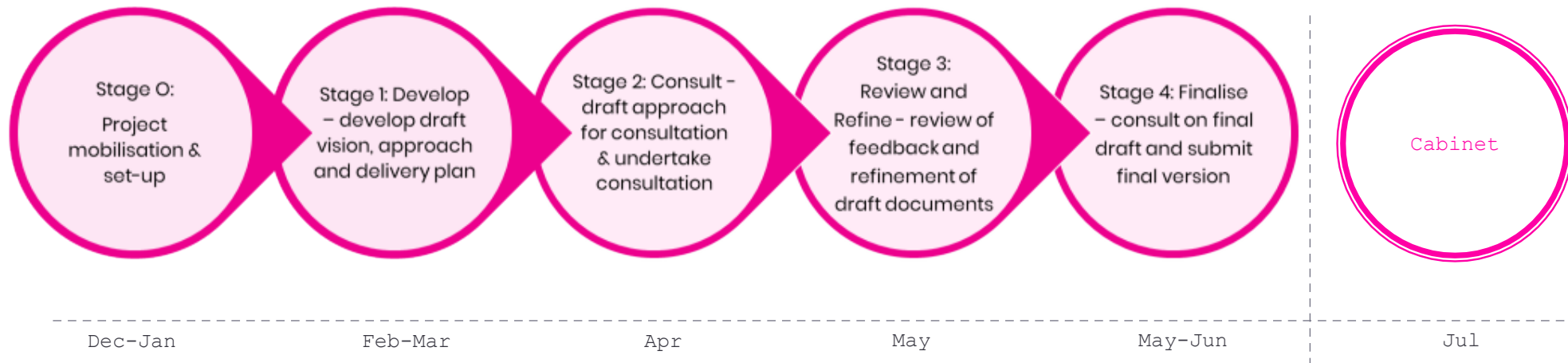
1. Shared vision, narrative and approach
2. Residents pledge
3. Delivery Plan

TIMELINE:

New Local deliverables by end June for submission to Cabinet in July

PROJECT PLAN:

Five stages of work - mobilise, develop, consult, refine, finalise



STAGE OF WORK: Stage 1: Develop draft vision, approach and delivery plan

Activity Update

- Engagement activity progressing – see slide 8 for details
- 121 Interviews nearing completion,
- Learning from Elsewhere review draft complete, identifying areas of interest and establishing networks with other authorities for learning opportunities.
- Community Conversations underway
- Locality Board sessions complete
- Local Partner workshop sessions complete
- Pathfinders being identified and scoped across the organisation
- Beginning Stage 2 – developing and consulting on draft vision and strategy

Engagement



- Engagement update on New Local's support of the Community Power Programme:
 - Workshop held with Senior Leadership Team on 7th February
 - Cabinet workshop held on 12th March
 - Workshops held with the Locality Boards in Eden (14th March), South Lakeland (20th March), and Furness (21st March).
 - Workshops (x3) with Local Partners in Furness, Eden, and South Lakeland on 9th and 10th April
 - Workshop with Town and Parish Councils, 11th April
 - Interviews are underway with representatives from the Council (officers and councillors), town and parish councils, health sector, and VCFSE organisations.



Engagement



- Community Conversations are underway in a variety of locations across Westmorland and Furness, taking place between 18th March and 14th April.
- **Upcoming engagement activity includes:**
 - Staff Expo, 17th April
- A review of Learning from Elsewhere has been undertaken.



Any Questions?





Westmorland
& Furness
Council

Communities and Environment Scrutiny

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Environment Agency:
Regulation – Presented by Andy Brown



United Utilities:
Improvement plans – Presented by Kevin Sayers





**Westmorland
& Furness
Council**

Water Quality

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westmorlandandfurness.gov.uk



Regulating Water



Andy Brown

Environment Planning & Engagement Manager

Feb 2024

2025 Creating a better place

We will protect and enhance the environment as a whole and contribute to sustainable development. Through this we will contribute to the United Nations Sustainable Development goals and help protect the nation's security in the face of emergencies.

- a nation resilient to climate change
- healthy air, land and water
- green growth and a sustainable future



Monitoring - Quality and Quantity

Fixed Assets

- Gauging Stations
- Observation Boreholes
- Rain gauges
- Fish counters
- Telemetry Network

Analysis

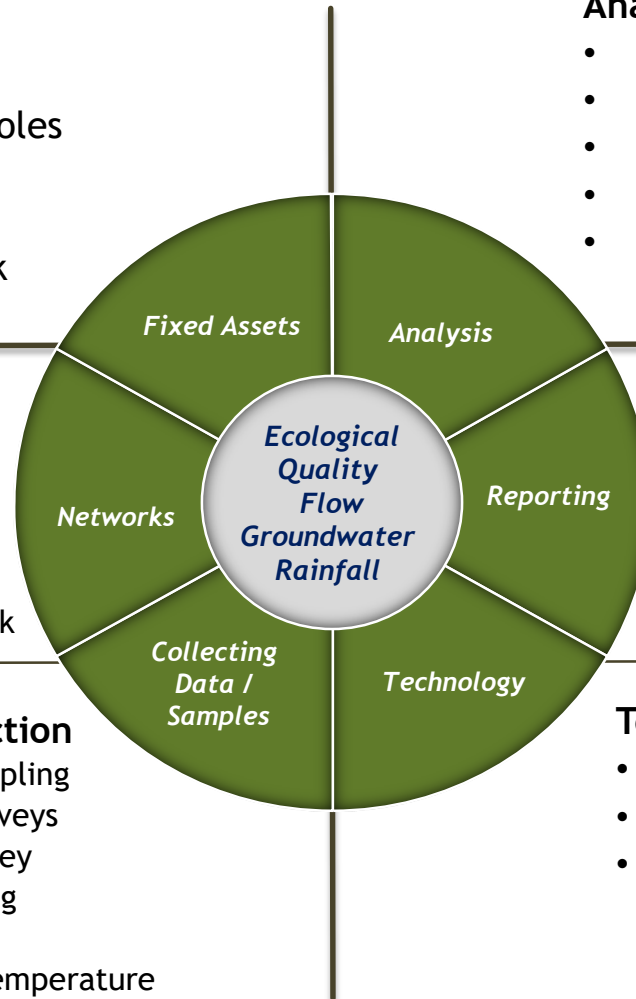
- Macroinvertebrate Analysis
- Shellfish Waters Investigations
- Bathing Water Investigations
- Fish Counter Analysis
- WQ / WR analysis

Networks / Online / Open Data

- River Surveillance Network
- Hydrometric Network
- Raingauge Network
- Water Quality Monitoring
- Water Framework Directive Network

Sampling & Collection

- Water Water Sampling
- River Habitat Surveys
- Invertebrate survey
- Spot Flow Gauging
- Electro fishing
- Sondes - WQ & Temperature
- Blue Green Algae etc

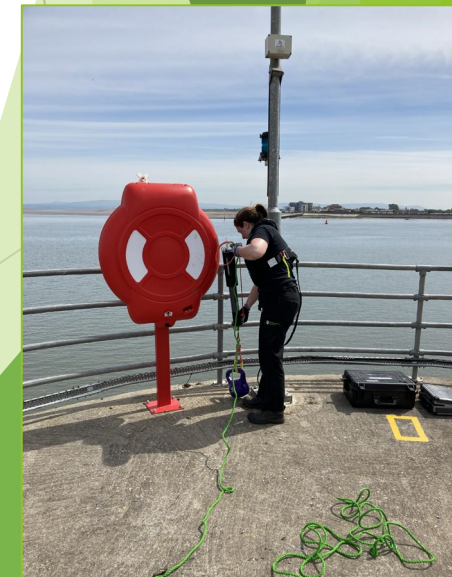


Reporting

- [Water Situation Reports](#)
- [Irrigation Prospect Reports](#)
- [Drought Information](#)

Technology

- Bug App
- Citizen Science
- eDNA



Planning

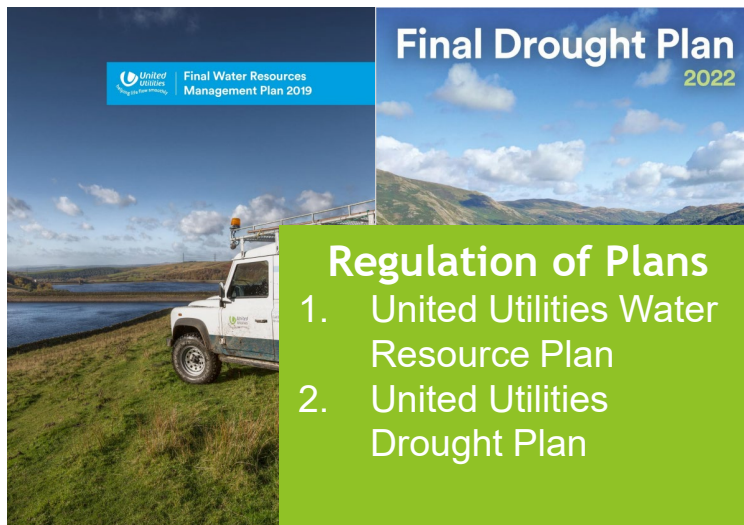
Department
for Environment
Food & Rural Affairs

Our integrated
plan for delivering
clean and plentiful
water

Plan for Water

1. Transform management of the whole water system
2. Deliver a clean water environment for nature and people
3. Secure a plentiful supply of water

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Plans to deliver on the Plan for Water

- ▶ EA 2025
- ▶ Local Outcome Plans
- ▶ River Basin Management Plans
- ▶ Environment Agency Drought Plan
- ▶ Shellfish Water Action Plans
- ▶ Bathing Water Action Plans
- ▶ Shoreline Management Plans

Permitting

- ▶ Environmental permits are issued for water discharges, waste & wastewater treatment, land spreading plus many other activities
- ▶ Water Resources licences are issued for abstraction and impounding
- ▶ Assessed & determined by the EA's National Permitting Team
- ▶ Permit conditions are written to comply with Environmental Permitting Regulations (EPR), water resources legislation and other relevant guidance

33



Water Company
Wastewater Treatment
Works



Water Abstraction
Licensing



Wastewater Treatment
Works Outfall

Compliance and Enforcement

34 Regulatory Officers across Cumbria & Lancashire, with specialists in water quality, water resources & agriculture.



Incident response
We assess all reports we receive and attend the most serious.

All information we receive is logged and used to help target regulatory interventions



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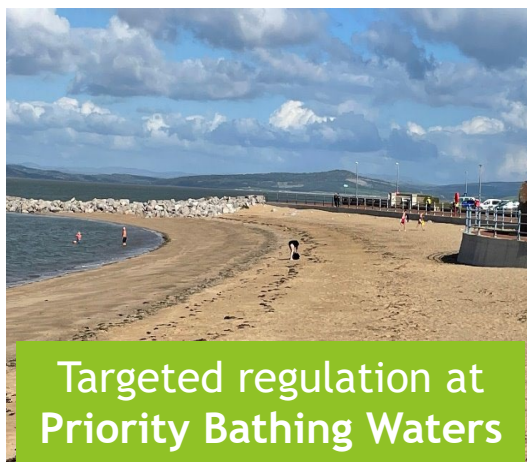


Water Company Regulation
Planned compliance inspections & audits

Use data & intelligence to target inspection programme

Enforcement actions will be taken where needed - including Compliance Action Plans, improvement notices & prosecution for the most serious offences.

Septic tanks & private Sewage Treatment Works
We work with partners to identify hotspots and help inform operators of their responsibilities



Targeted regulation at Priority Bathing Waters



Agriculture
Farm inspection programme across the region

Action Plans used to bring farms back into compliance with *Farming Rules for Water* and Agriculture Fuel Oil rules.

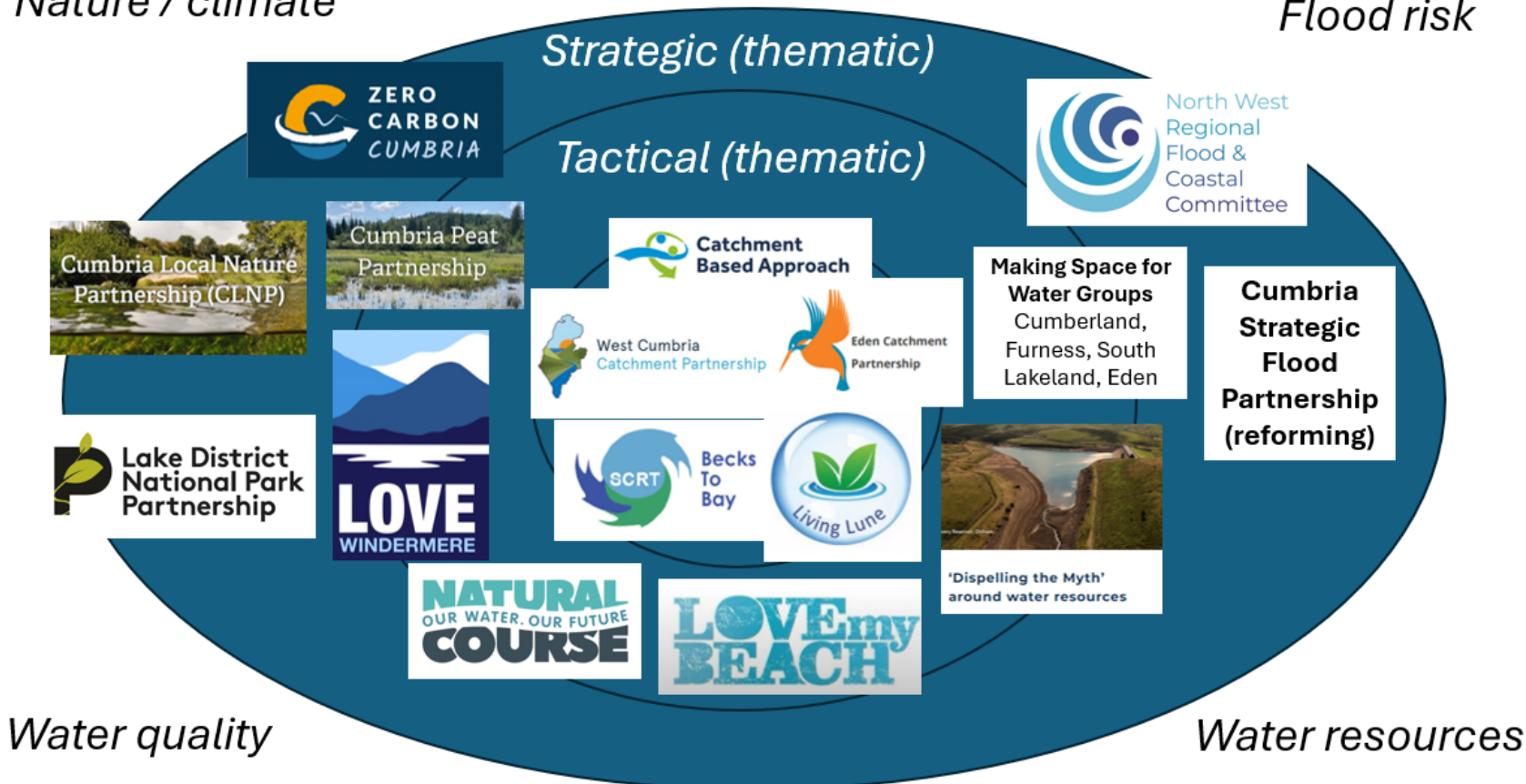


Influencing and Partnerships

Nature / climate

Flood risk

35





Final Thought Our Climate is Changing....

- ▶ The projected climate change impacts on rainfall and river flow for the Northwest region by 2050s are for:
 - ▶ Rainfall to decrease by 38% in the summer but increase by 29% in the winter
 - ▶ Low flows to be 69% lower but peak river flows to be 35% higher

W&F Council Scrutiny Committee

United Utilities – Water Quality

23rd April 2024

Building a plan for the North West

7.3 million people and **200,000 businesses**

Industrial heritage and Victorian infrastructure

Rainy, hilly region so water stored mainly in **reservoirs**

12% of households affected by water poverty

29 designated bathing waters

34% of land in the region has environmental protection

Annual water runoff **28% more** than rest of country

54% of sewer system is combined, with **2,200 storm overflows**

Challenges facing our region

A growing population

1 million more people over the next 25 years

Climate change

More severe rainfall events

Diverse communities

Differing levels of prosperity across the region's communities

Growing expectations

Environmental requirements driving unprecedented levels of investment over next 30 years



So we're proposing to deliver on things that matter to you

£13.7bn plan

Largest for over 100 years



1.4 million customers

Improved water quality



7x increase

In value of the environmental programme



60% spill reduction (decade to 2030)

£3.1bn investment



2 million people

Safeguarding water supplies



500km of rivers

Protecting and enhancing rivers across the region



Halving the chance

of a hosepipe ban



30,000 jobs

7,000 new roles



£525m affordability support

Helping one in six customers



Addressing your priorities in Cumbria – our proposed plan



Stronger

- ✓ 10,600 people supported with affordability help, this will double by 2030
- ✓ 21,300 customers supported through Priority Services
- ✓ Employing 650 people across Cumbria, with more green jobs created
- ✓ Supporting community development e.g. St Cuthbert's Garden Village in Carlisle



Greener

- ✓ Improving 219km of rivers, and spending £38 million to improve three sites, including Crummock Water
- ✓ Partnerships to improve the local environment, e.g. Wild Ennerdale, The Lake District National Park Partnership, Love Windermere and the Catchment Partnerships for West Cumbria, Eden and South Cumbria
- ✓ Partnerships to promote sustainable farming, working across Cumbria to reduce pollution at nine locations
- ✓ Investing £914 million to reduce spills of 158 storm overflows



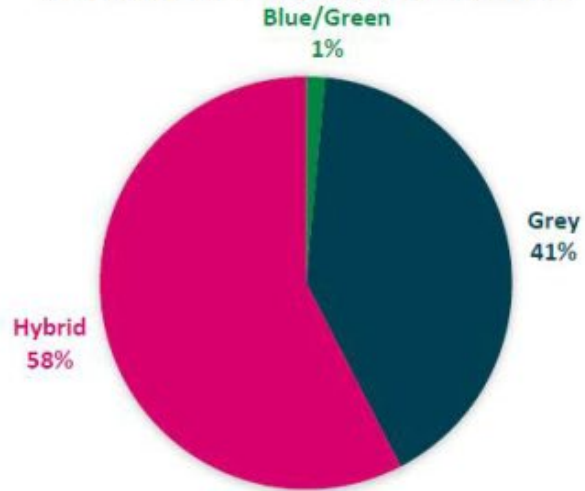
Healthier

- ✓ Restoring peatland across 2,144km² in Cumbria

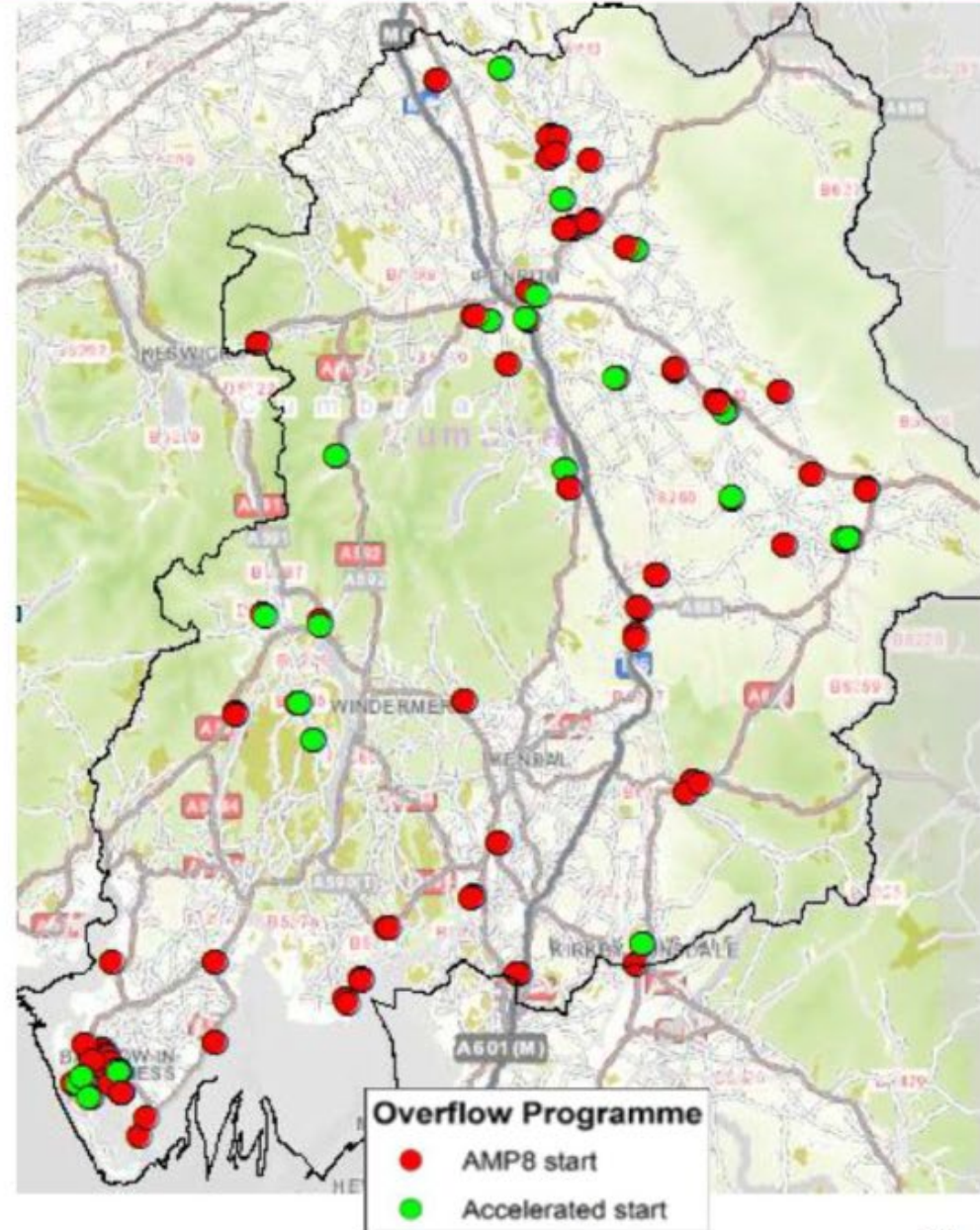
- See later slide for Cumbria CSO Improvement Plan

Storm overflow improvements – W&F breakdown

SOLUTION TYPE IN W&F AREA



- Grey solution – storage only
- Hybrid solution – split between grey solution and surface water management
- Blue-green solution – where SuDs solution removes need for the grey solution



W&F Council Area;

- 22 sites in the accelerated programme (underway now) with 75 sites in overall programme (2025-2030)

Discharge Ref	Site Description	Solution Type	Area
17370024	Ambleside WwTW	Grey	Ambleside
LAK0025	Elterwater PS	Hybrid	Langdale
LAK0107	Hawkshead PS	Grey	Hawkshead
17370030	Near <u>Sawrey WwTW</u>	Hybrid	Near Sawrey
17670019	<u>Morland WwTW</u>	Grey	Morland
BRW0040	31 <u>Abbotsmead Approach CSO</u>	Grey	Barrow
17670054	<u>Armathwaite WwTW (SO)</u>	Hybrid	Armathwaite
EDE0116	Carleton Hall <u>Templebank CSO</u>	Hybrid	Penrith
17270014	<u>Casterton WwTW</u>	Hybrid	Casterton
EDE0086	<u>Clifton PS</u>	Hybrid	Bolton Penrith
17670061	<u>Great Salkeld WwTW</u>	Hybrid	Great Salkeld
17670013	<u>Kirkby Stephen WwTW incl Winton PS</u>	Grey	Kirkby Stephen
BRW0099	Ferry PS	Grey	Barrow
17680367	<u>Glenridding WwTW</u>	Hybrid	Glenridding
BRW0100	Graving Dock PS	Grey	Barrow
17680364	<u>Great Asby WwTW</u>	Hybrid	Great Asby
BRW0101	Harbour Yard PS	Grey	Barrow
EDE0061	<u>Holme Street Chapel Street CSO</u>	Hybrid	Appleby
17570044	<u>Keswick WwTW</u>	Grey	Keswick
17670025	<u>SHAP WwTW</u>	Hybrid	Shap
EDE0003	<u>Skirwith Beck CSO</u>	Grey	Langwathby
17670087	<u>Sockbridge & Tirril WwTW</u>	Hybrid	Sockbridge

Permit Ref	Site Name	Solution Type	Area
17270006	KIRKBY LONSDALE WwTW	Grey	Kirkby Lonsdale
17270008	ORTON WwTW	Hybrid	Orton
17270009	SEDBURGH WwTW	Grey	Sedbergh
17270018	TEBAY WwTW	Hybrid	Tebay
17370035	CONISTON	Grey	Coniston
17370061	STAVELEY WwTW	Blue/Green	Staveley
17370073	LINDALE	Hybrid	Lindale
17370128	Grange-Over-Sands WwTW	Grey	Grange-Over-Sands
17470136	<u>Askam-in-Furness WwTW ST</u>	Grey	Askham
17670001	APPLEBY (APPLEBY WwTW)	Grey	Appleby
17670002	Bolton (Penrith)	Hybrid	Bolton Penrith
17670004	BROUGH	Hybrid	Brough
17670005	CROSBY GARRETT WwTW	Hybrid	Crosby Garret
17670013	Kirkby Stephen WwTW/Winton	Grey	Kirkby Stephen
17670065	KIRKOSWALD WwTW	Hybrid	Kirkoswald
17670066	LANGWATHBY	Hybrid	Langwathby
17670104	LOW HESKET WwTW	Hybrid	Low Hesket
17680299	Glassonby Village Ww	Hybrid	Glassonby Village
17680532	MURTON WwTW	Hybrid	Murton East
BRW0009	Schneider Road	Grey	Barrow
BRW0012 + 91	Oxford Street/Ainsley Street CSO	Grey	Barrow
BRW0013	Ainslie Street/Oxford Street CSO	Hybrid	Barrow
BRW0031	Hawcoat Lane/Hartland Road CSO	Hybrid	Barrow
BRW0032	<u>Hawcoat Lane/Thorncliffe Road CSO</u>	Grey	Barrow
BRW0034	Abbey Road/Hollow Lane CSO	Grey	Barrow

BRW0036	Hollow Lane/Harrel Lane CSO	Grey	Barrow
BRW0039	Flass Lane at Bridgegate Ave, Newbarns CSO	Grey	Barrow
BRW0041	<u>Bridgegate Avenue (manhole 5800) CSO</u>	Hybrid	Barrow
BRW0042	27/29 Abbotsmead Approach CSO	Hybrid	Barrow
BRW0044	Frederick Street PS	Grey	Barrow
BRW0071	Rampside Village PS	Grey	Barrow
BRW0097	Palace Nook	Grey	Barrow
BRW0102	Roa Island	Grey	Barrow
EDE0007	The College CSO	Grey	Kirkoswald
EDE0008	<u>Askham Beck CSO</u>	Hybrid	Askham
EDE0015	Gategill Beck M/H Near River Flats CSO	Grey	Threlkeld
EDE0022	CSO behind Lager's Store	Hybrid	Kirkoswald
EDE0023	Manhole on Syphon (Warcop) CSO	Hybrid	<u>Warcop</u>
EDE0073	Lazonby PS	Hybrid	Kirkoswald
EDE0079	Tebay Sewage PS	Hybrid	Tebay
EDE0080	Stainton SSO	Hybrid	Penrith
EDE0089	Shap PS	Hybrid	Shap
EDE0097	Appleby CSO Adj to Appleby WwTW	Grey	Appleby
EDE0120	Langwathby CSO	Hybrid	Langwathby
EDE0121	The effluent facility at Skirwith	Hybrid	Langwathby
EDE0122	The effluent facility at Winskill	Grey	Langwathby
LAK0001	Baycliffe PS CSO	Hybrid	Newbiggin
LAK0046	Holme Station CSO	Grey	Holme
LAK0055	Heversham Sewage PS	Hybrid	Milnthorpe
LAK0059	Town Beck CSO	Grey	Ulverston
LAK0060	Loftus Hill/Mortar Pits CSO	Hybrid	Sedbergh
LAK0073	Cart Lane (Grange) PS	Grey	Grange-Over-Sands
LAK0091	Sedgewick PS	Hybrid	Kendal

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Storm overflow improvement – progress in Cumbria



Gilcrux



Plumbland

Interim solutions to tackle some of our highest spilling overflows in Cumbria

No spills at Cargo since solution implemented – reduced from over 300 to 0



Cargo



Storm overflow improvement – upcoming

United Utilities
Water for the North West

Storm Overflow Map

Learn more about how we are committed to enhancing the region's natural water resources
Find out more

In total 99.1% of our storm overflows are currently not discharging

What are storm overflows?
Watch the video to understand what storm overflows are and why they are a part of our network

What are storm overflows?

What are we doing to reduce spills?
How do you track and measure spills?
View more FAQ's
Disclaimer

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- Near real time information on overflow activation to be available on our website
- Will show location of overflow and report activation within one hour
- Go live in April – available to all customers and stakeholders

- 2023 overflow performance
 - Data to be published in March
- 2023 annual rainfall exceptionally high:
 - 50% higher than 2022
 - 33% higher than the long run
- Start of 2023, 14 named storms, 10 since September – this has impacted spill volumes
- On track to deliver at least one-third sustainable reduction in spills by 2025 from 2020 baseline

Love Windermere: Partnership working in action

£41m to improve water quality, reducing activations by 50%

Near Sawrey



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Ambleside



Windermere



Lake District National Park



Flooding: Who Manages What in Cumbria?

Flood & Water Management Act 2010: We all have a duty to co-operate

Lead Local
Flood Authority

Public body

Highway
Authorities

District
Councils

Water and
sewerage companies

Riparian
Owners



Developing, maintaining and applying a strategy for local flood risk management

Managing the risk of flooding from surface water, groundwater and ordinary watercourses

Responsible for taking a strategic overview of all sources of flooding

Managing the risk of flooding from main rivers and the sea

Regulating reservoir safety

Lead responsibility for providing and managing highway drainage and roadside ditches

Co-operate with the other RMA's to ensure their flood management activities are well coordinated

Carry out flood risk management on minor watercourses.

Work in partnership with LLFAs and other RMA's to ensure risks are managed effectively, including taking decisions on development in their area.

Managing the risk of flooding from wastewater and water infrastructure

Work with developers, landowners and LLFAs to understand and manage risks

Maintain the watercourse within the boundary of their land so it freely flows and has no obstructions

Summary

- Extremely Ambitious Programme – largest ever in the history of the North West
- Addresses priorities across multiple areas eg. flooding, Water Quality (both clean-water & wastewater) and Environmental ambitions
- Want to work with LA's collaboratively to see where we can support each other
- Will need to work closely with LDNP & W&F Council across multiple areas eg. planning & flooding (LLFA)
- Happy to share further details – we have a Quarterly Strategy Meeting in place with the LA Officers. Local engagement with communities also in place as projects start
- Great start already made in numerous areas and we want to continue with this eg. Windermere, Staveley etc
- Our regulator will confirm our Business Plan in Dec-24 – until then we are focussing on the accelerated projects which we have already received approval for

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Questions on Water Quality

Next section – Love Windermere Partnership



Report Title	Biodiversity Net Gain and Local Nature Recovery Strategy2
Meeting	Communities and Environment Scrutiny Committee
Meeting Date	23 rd April 2024
Report Author	Nicola Jordan - LNRS Project Manager Alistair Blackshaw - Principal Ecologist
Lead Cabinet Member(s)	Cllr Giles Archibald – Portfolio Holder for Climate and Biodiversity.
Wards Affected	All
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	<ol style="list-style-type: none"> 1. LNRS Overview Presentation 2. The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023 3. Local Nature Recovery Strategy Statutory Guidance 4. WF Strategic Significance Guidance v1.0 5. EqIA LNRS.BNG

1. Executive Summary

- 1.1 The UK Government has made a formal commitment, through the Environmental Improvement Plan, to protect and conserve a minimum of 30% of land and sea for biodiversity by 2030, known as 30x30. The Council has an opportunity under the enhanced Biodiversity Duty to help deliver on the 30x30 target; Biodiversity Net Gain (BNG) and the Cumbria Local Nature Recovery Strategy (LNRS) are two mechanisms we can use to support this target.
- 1.2 This report and accompanying presentation (Appendix 1) outlines the progress made in developing the Cumbria LNRS as the Responsible Authority, in order to foster a robust development management process which incorporates both the LNRS and BNG to drive and incentivise strategic nature recovery in Westmorland and Furness and across Cumbria.

2. Recommendations

For the reasons set out in this report, Overview and Scrutiny Committee is recommended to:

- 2.1 To note and comment on the report and the preparations for the Local Nature Recovery Strategy in-line with the statutory requirements of The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023 and the Local Nature Recovery Strategy Statutory Guidance (Appendices 2 and 3).

3. Information: The Rationale & Evidence for the Recommendations

- 3.1 Local Nature Recovery Strategies (LNRS) are ground-breaking new mechanisms to plan for nature recovery at a local level; they agree priorities for nature recovery and propose actions for reversing the decline in biodiversity, as well as identifying key locations where these could take place.
- 3.2 In 2021 Cumbria was chosen as one of five pilot areas to trial the development of an LNRS. The pilot scheme was widely praised and gives us a good basis to work from when developing the current LNRS.
- 3.3 LNRS's are required by law under the Environment Act 2021 and will be reviewed every three to ten years. The first iteration of the LNRS must be published by March 2025 and we are on target to meet this publication date.
- 3.4 Westmorland and Furness Council are the responsible authority for the Cumbria LNRS, with Cumberland Council, Lake District National Park Authority, Yorkshire Dales National Park Authority and Natural England acting as supporting authorities. There are also many other organisations involved in the development of the LNRS such as Cumbria Biodiversity Data Centre, Forestry Commission, Environment Agency, Cumbria Wildlife Trust, Cumbria Local Nature Partnership and many more NGOs, organisations and individuals.
- 3.5 Our LNRS will aim to restore Cumbria's wildlife by drawing on existing data, strategies and guidance, alongside local knowledge, so that nature recovery happens in a way which delivers maximum benefit.
- 3.6 Strategic nature recovery is directly linked with mandatory BNG via the Biodiversity Metric, which is used to calculate the numbers of biodiversity units lost and delivered as a result of development. The 'Strategic Significance' modifier within the Biodiversity Metric applies an uplift of 10-15% to the biodiversity unit score for each habitat parcel if it is within an area identified as being of importance for that particular habitat by the LNRS. This makes these areas more desirable for BNG offsetting, and less desirable for development than lower value land outside the LNRS recovery network. Use of the Strategic Significance modifier should encourage BNG offsetting to occur where it is most beneficial, as identified by the pilot LNRS.
- 3.7 The LNRS team and the council's ecology team have co-developed interim guidance which is based on the pilot LNRS and will help to deliver the maximum benefit from BNG while the final LNRS is being developed. The interim guidance is set out in Appendix 4. It will be updated once the first iteration of the LNRS is published.
- 3.8 The focus is on BNG as a mechanism for delivering the LNRS as currently it is the only 'land management' scheme which is directly linked to it. However, mandatory BNG should not be expected to deliver all of the LNRS priorities

due to the limitations on where development can take place and the availability of land for habitat creation/restoration to offset its impacts. It is expected, but not confirmed, that the LNRS will be delivered in the main through agri-environment schemes such as the upcoming Environmental Land Management Scheme (ELMS), although there is very little detail at present on how ELMS will link with the LNRS. The LNRS will also inform the Councils Biodiversity Action Plan (Part 2).

3.9 The Biodiversity Net Gain (BNG) policy holds significant potential to support the Local Nature Recovery Strategy (LNRS) priorities. While the Environment Act (2021) mandates a minimum 10% net gain, the current council administration aspires for new developments to achieve 20%. However, central government guidance requires justification for exceeding the mandated target. This justification needs to demonstrate a local need for a higher percentage, suitable local opportunities to achieve it, and the potential impact on development viability. The local plan is still in its early stages, but work on building the evidence base for a 20% requirement in Westmorland and Furness is already underway.

3.10 Delivery of Nutrient Neutrality (NN) also has the potential to contribute to LNRS delivery but, there is no direct incentive for mitigation to be located in areas that would directly benefit the LNRS. Because NN mitigation is primarily concerned with reducing phosphorus loads, and the benefits to the LNRS are coincidental, it is difficult to see how such an incentive would work. However, the LNRS provides a useful framework upon which to base decision making in relation to the siting of NN mitigation.

4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)

4.1 The current and proposed actions as part of our preparations for BNG and leading the development of the LNRS supports many of the Council Plan Priorities: People, Climate, Communities, and Economy and Culture.

4.2 These current and proposed actions from BNG and the LNRS aim to help implement statutory duties required by the Environment Act 2021 and support the 30x30 ambition. Their implementation will seek a balance between nature recovery, supporting greater access to nature, and fostering ecological awareness. This will benefit our residents, local culture, visitors, natural climate change management, and the local economy.

4.3 The Cumbria-wide Local Nature Recovery Strategy (LNRS) will serve as a roadmap for Westmorland and Furness Council's upcoming Biodiversity Action Plan (part 2). The LNRS will guide the council's priorities and actions by outlining a strategic framework for habitat restoration, creation, and enhancement across the county. This will ensure that Westmorland and Furness's plan aligns with broader conservation efforts and leverages expertise from across Cumbria. By incorporating the LNRS's vision, the

council's action plan can set clear and achievable goals and specific actions suited to Westmorland and Furness's unique landscapes and challenges.

- 4.4 As the LNRS will outline priority areas for nature recovery across a range of habitats it will help to support decision making on where to place NN mitigation further supporting the Council Plan Priorities of Communities and Economy and Culture. However, at present there are no incentives, as there are for BNG, to encourage the placement of NN mitigation in specific locations that would benefit the LNRS. Further guidance on this may be released by central government in the future.
- 4.5 The success of Local Nature Recovery Strategies (LNRS) hinges on collaborative action. Farmers and Landowners play a pivotal role by creating wildlife habitats and adopting sustainable practices. Local Nature Partnerships (LNPs) serve as a vital link, guiding and connecting these efforts with measurable biodiversity benefits.
- 4.6 Expertise from National Parks, the Environment Agency, and universities ensures proper implementation and monitors progress. Local business groups can champion the economic advantages of a thriving natural environment. Conservation organizations bring their land management skills and advocacy for supportive policies to the table. Everyone has a role to play in ensuring the success of the Local Nature Recovery Strategy, working together to build a nature-rich and economically prosperous future

5. Consultation Outcomes

- 5.1 The development of the LNRS involves continuous engagement and consultation with the Supporting Authorities (Cumberland Council, Lake District National Park Authority, Yorkshire Dales National Park Authority and Natural England), Cumbria Local Nature Partnerships, NGOs, community groups, town and parish councils, and the public.
- 5.2 Engagement so far has been positive with over 600 individuals and around 250 organisations included in developing the LNRS to ensure that we collaboratively establish what the priorities are for nature recovery in Cumbria and where the actions to do this should take place.
- 5.3 The priorities and measures outlined in the LNRS will link to BNG, as measures, or actions, to create or restore habitats in strategic networks will receive an uplift through the strategic significance multiplier as described above.

6. Alternative Options Considered

- 6.1 BNG and the development of an LNRS is a statutory requirement under the Environment Act 2021 and is therefore mandatory for the Council to follow.

- 6.2 The Statutory Biodiversity Metric User Guide is specific that, while the LNRS is under development Local Planning Authorities are free to specify their own documentation for developers to refer to when completing the Biodiversity Metric. We have chosen to base our guidance on the LNRS pilot in the interim. However, once the LNRS is published the user guide requires us to use it as a basis for strategic significance.
- 6.3 The LNRS is heavily based on restoring networks of priority habitats, which are a range of semi-natural habitat types that have been identified as being the most threatened and requiring conservation action. Because of this, there is a risk that restoration or creation of medium value habitat, which could fulfil a key connective function, is not incentivised by the metric. Examples of these habitats could be scrub and semi-improved neutral grassland. The LNRS team and council ecology team will continue to work together, providing feedback to DEFRA if necessary, to advocate for a mechanism to incentivise the creation of medium value habitats in locations where they would benefit the LNRS.

7. Reasons for the Recommendations

- 7.1 The LNRS team and council ecology team can demonstrate progress in line with their respective project plans in accordance with relevant statutory regulations and guidance (Appendices 2 and 3).
- 7.2 Ongoing communication between teams also demonstrates how the two initiatives are being developed together. Aligning the LNRS to BNG has wider co-benefits such as carbon sequestration, natural flood management and enhanced resilience to climate change, which aligns with the Council Plan Priority 'For the Climate'.
- 7.3 The Communities and Environment Committee can influence the policies and decisions made by the Council and partners in relation to the Local Nature Recovery Strategy and ensure we maximise opportunities and benefits from nature recovery and biodiversity net gain in Westmorland and Furness and across Cumbria.

8. Climate and Biodiversity Implications

- 8.1 Carbon sequestration: Creating and restoring habitats like peatlands, woodlands, and wetlands can significantly increase carbon storage. This helps mitigate climate change by removing greenhouse gases from the atmosphere and storing it as soil carbon or within vegetation.
- 8.2 Enhanced climate resilience: Healthy ecosystems are more resilient to extreme weather events associated with climate change, such as floods and droughts. A well-designed LNRS can identify areas for habitat restoration that can buffer communities from impacts such as flooding and by creating corridors between fragmented habitats, facilitating the movement of species as their ranges shift due to climate change.

- 8.3 Habitat creation and restoration: Aligning the LNRS with BNG can lead to the strategic restoration of degraded habitats and creation of new ones.
- 8.4 Increased species diversity: A healthy and diverse habitat network fosters a wider variety of plant and animal life. This biodiversity is crucial for maintaining healthy ecosystems.

9. Legal and Governance Implications

- 9.1 The Environment Act 2021 amended section 40 (A1) of the Natural Environment and Rural Communities Act 2006 (NERC). The Environment Act 2021 (the Act) operates as the new framework for environmental protection. The Act strengthens and improves the duty on public bodies to conserve and enhance biodiversity alongside conservation by way of creating the 'general biodiversity objective'. The Act establishes two mechanisms to support the delivery of Local Nature Recovery Strategies (LNRS), which are mandatory biodiversity net gain (BNG) and the strengthened biodiversity duty on public authorities. Section 106(5) of the Act requires local authorities in England to establish LNRS, which will identify where action to achieve BNG will have the most impact and encourage action locally through the way net gain is calculated. The Act also requires the preparation and publication of LNRSs.
- 9.2 The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023 (*SI 2023/241*) were made on 22 March 2023. Following consultation, the Department for Environment, Food and Rural Affairs (Defra) published statutory guidance on 23 March 2023.
- 9.3 The LNRS Regulations and statutory guidance explain how an LNRS should be prepared, the obligations to share information on local wildlife sites, how local authorities can work together in developing their LNRSs, the need for local consultation when an LNRS is set, and dispute resolution procedures. The LNRS for each area must:
- Map the most valuable existing areas for nature.
 - Agree priorities for nature recovery.
 - Map specific proposals for creating or improving habitat for nature and wider environmental goals.
- 9.4 Defra decides the area that each LNRS covers and appoints the responsible authority to lead its preparation, review and republication. Defra will publish information on the area covered by each LNRS and who the responsible authorities are. The Council has been appointed as the responsible authority and therefore there are additional duties for the Council in order to comply with the statutory obligations in this respect.

9.5 Local planning authorities must have regard to LNRs in complying with their strengthened biodiversity duty. Additional accountability is imposed on Local Authorities to deliver biodiversity reports under section 40(A) of the NERC. The report will need to summarise the actions implemented to comply with the statutory duty under NERC section 40 (1) and (1A).

10. Human Resources Health Wellbeing and Safety Implications

10.1 There are no HR implications within the report.

11. Financial Implications

11.1 There are no direct financial implications of the recommendation contained within this report. (P Cameron 12.4.2024)

12. Equality and Diversity Implications (please ensure these are compliant with the EIA Guidance)

12.1 See Appendix 5 for full EqIA.

13. Background Documents

13.1 [Local nature recovery strategies - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

13.2 [Biodiversity net gain - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

13.3 [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

13.4 [Nutrient pollution: reducing the impact on protected sites \(www.gov.uk\)](http://www.gov.uk)

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Westmorland
& Furness
Council

Cumbria Local Nature Recovery Strategy and Biodiversity Net Gain

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Communities and Environment Scrutiny
23rd April 2024



YORKSHIRE DALES
National Park Authority



What is a LNRS and why do we need it?

- England is widely considered to be one of the most ***nature-depleted*** countries in the world.
- The Environment Act (2021) brings into ***law*** requirements to halt the decline of species and improve our natural environment.
- At COP15 in 2022 the UK Government committed protecting 30% of our land and ocean by 2030 – known as the **30-by-30** commitment – action to achieving this is set out in the Government's Environmental Improvement Plan 2023.
- England has been divided into **48 strategy areas** that are required to develop a Local Nature Recovery Strategy (LNRS) for their area by March 2025.
- LNRSs will aim to restore our biodiversity by drawing on ***existing data, strategies*** and ***guidance***, alongside ***local knowledge***, to ensure that nature recovery happens in a way that delivers maximum benefit.
- The LNRS will be developed collaboratively with a wide range of stakeholders in Cumbria and will identify the key ***'priorities'*** and ***'measures'*** for nature recovery and show the areas that are most suitable for these.

What do we need to do? And where?

What will the LNRS do?

- The LNRS is a strategy that **identifies opportunities** for nature recovery. Rather than tell you what *must* be done, it will tell you what *could* be done.
- It will be designed to **align with existing guidance and policies**, and to inform future documentation.
- 59 • By establishing **strategic alignment** between the LNRS and BNG we will maximise the potential of this new regime to contribute to nature recovery.
- We will **monitor** progress against LNRS targets, report back to the Council, and leverage this alignment to drive successful **grant writing** and **grant giving** efforts.
- It will also **give consideration to wider environmental, economic, and social benefits**.
- It will be **locally led, evidence based, and collaboratively produced**.



What is the LNRS not?

- **The LNRS is not a Delivery Plan.** It identifies opportunities for nature recovery at a county scale, but it does not replace the need for site specific delivery plans or field surveys.
- **The LNRS is non-binding;** Responsible Authorities must prepare an LNRS, but they are not required to deliver the opportunities identified.
- **The LNRS does not confer any level of protection.** Nor does it prevent land uses such as farming or development.
- **The LNRS does not give permission to create habitat** without consulting specialists in Historic Environment, Landscape, Access etc.



Who will produce the Cumbria LNRS?

The LNRS will be developed collaboratively with a wide range of stakeholders in Cumbria.

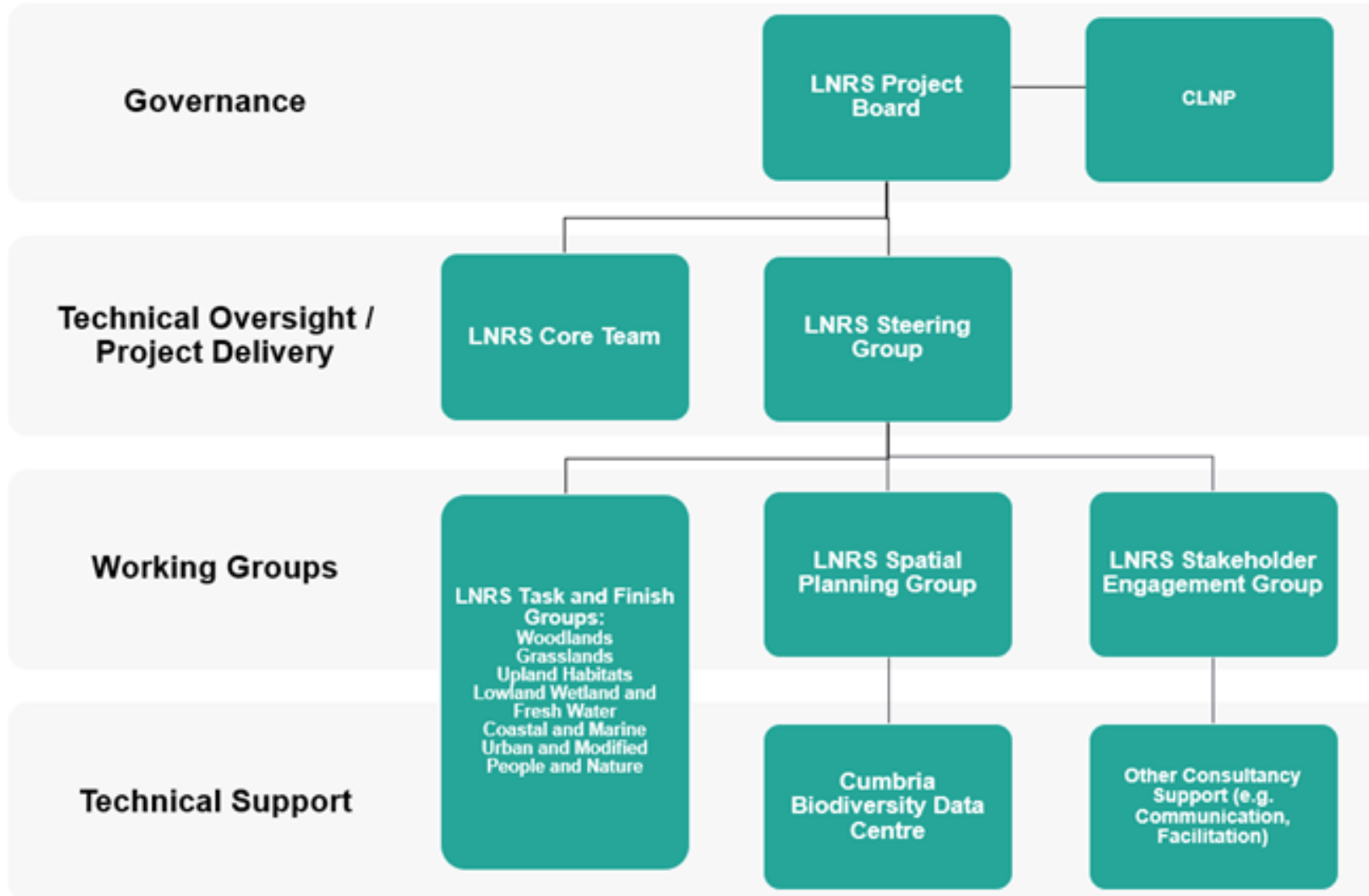
Westmorland and Furness Council will lead on the preparation of the Cumbria LNRS, supported by the following appointed 'Supporting Authorities': The Supporting Authorities will need to 'sign-off' the LNRS before it is submitted to defra by March 2025



Over 600 additional organisations and interested parties have expressed an interest in engaging with the LNRS process.



Cumbria LNRS Governance Structure



What will the LNRS look like?

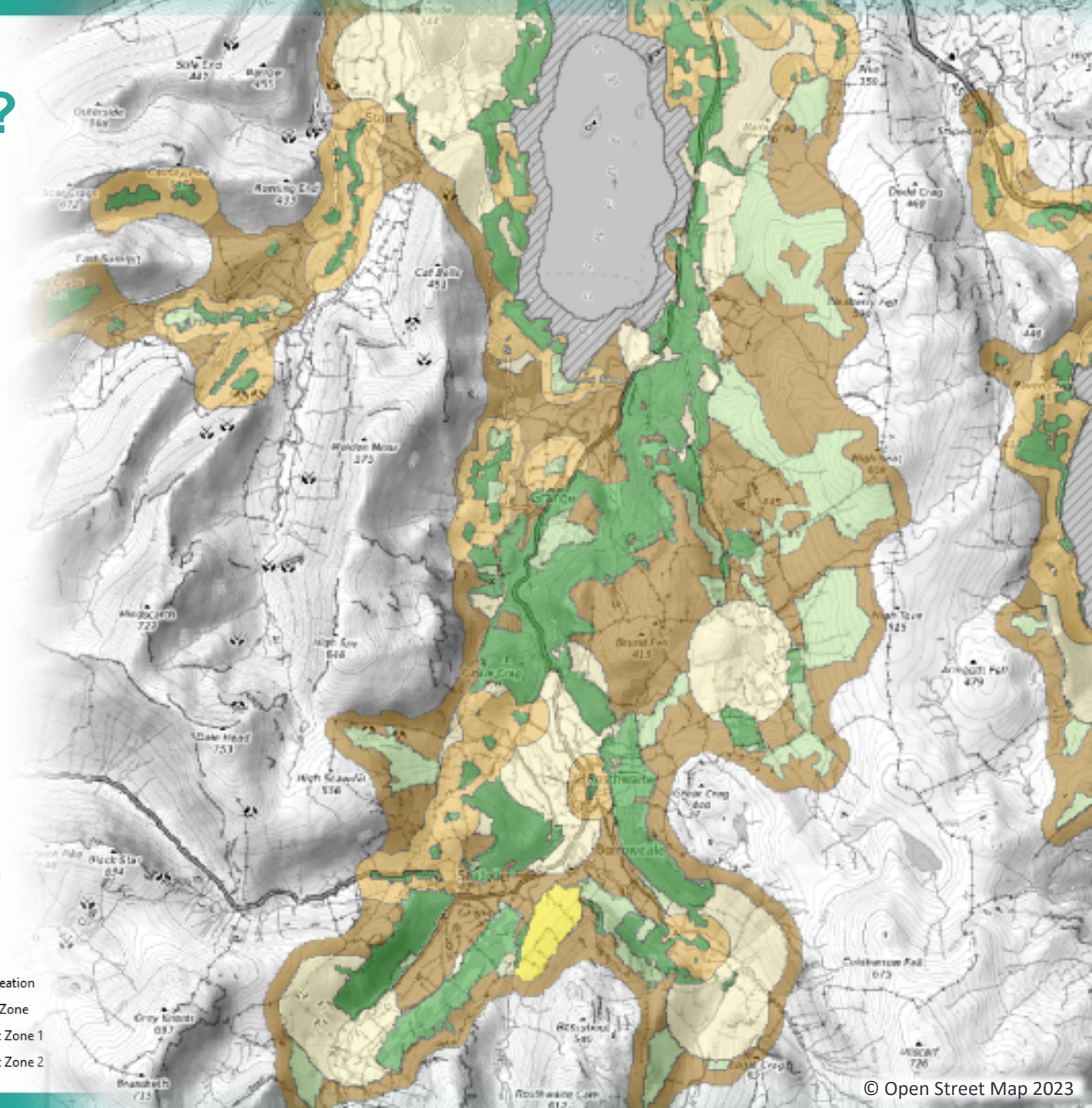
The LNRS will be formed of two parts:

- A written document.
- An interactive map.

∞ The habitats, priorities, and measures identified in the document will be represented spatially on the map showing what could be done and where.

Cumbria LNRS - Woodland

- Primary Habitat
- Associated Habitats
- Restorable Habitat
- Habitat Restoration-Creation
- Fragmentation Action Zone
- Network Enhancement Zone 1
- Network Enhancement Zone 2



What will the LNRS Look like?

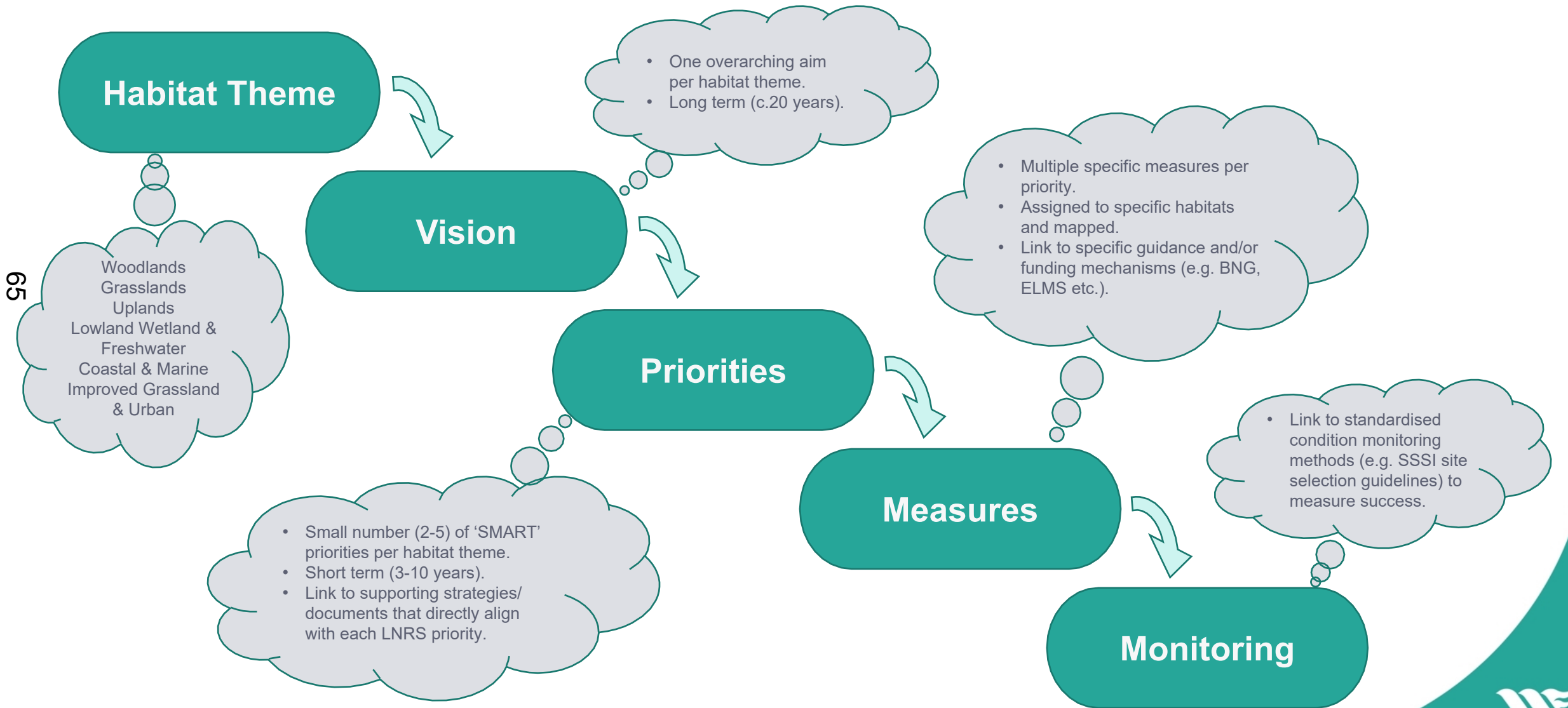
*Key themes will be considered **throughout** such as benefits to **species, people, the farming community, education, tourism and businesses.***



*For each habitat theme, we will identify a **vision**, a small number of **priorities**, and **measures** to achieve these priorities.*



How does it all fit together?



Project Timeline – Summary

Phase 1: Laying the Foundation (Jan - April)

- Evidence Base Review: Comprehensive analysis of existing data and studies to understand the local ecological landscape and inform priority setting.
- Priority and Measure Formation: Utilizing the evidence base, establish key conservation goals and actionable interventions to achieve them.
- Species Shortlist and Assemblage Definition: Identify high-value or threatened species and ecological targeted actions.

Phase 2: Collaborative Development (April - Sept)

- Stakeholder Engagement: Proactive public consultations, community workshops, and discussions with Farmers/Landowners and key stakeholders to incorporate diverse perspectives.
- Strategy Development and Writing: Craft a clear and concise document outlining the vision, objectives, and implementation plan for the Cumbria Local Nature Recovery Strategy.
- Mapping Finalisation: Integrate spatial data and define habitat restoration and protection areas to guide future actions.

Phase 3: Refinement and Publication (Oct - Jan)

- Draft Strategy Launch: Public release of the draft strategy for feedback and input from interested parties, including neighboring LNRS areas.
- Supporting Authority Response: Address comments and concerns raised during the consultation period, resulting in a finalised strategy document. Progress through Council democratic processes.

Phase 4: Implementation Initiation (Feb - March)

- Notice to Publish: Initiate formal steps to formally adopt the Local Nature Recovery Strategy as a statutory document.

Where are we in the LNRS Process?



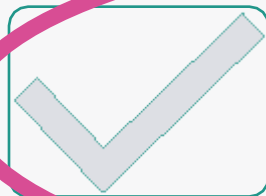
Map areas that are of particular importance for biodiversity.

- Confirmed as designated sites and irreplaceable habitats only.



Describe Cumbria's current biodiversity and opportunities for recovery.

- Described within the opening sections of the pilot and requires only minor updates.



Identify the priorities for biodiversity recovery and measures to achieve these.

- Review of evidence base and long-list of priorities drafted.
- Draft priorities to be shortlisted during workshops in March.



Map the areas that could become of particular importance for biodiversity.

- Mapping to be developed once priorities for nature recovery and their target habitats are confirmed.

Linking the LNRS with other initiatives

In order to deliver action for nature recovery, the LNRS must be used...

- The LNRS should be used to guide and **inform key planning policy**, such as our Local Plans.
- It should perform that **critical strategic link** to guide nature recovery activity so that it happens strategically.
- It should **connect** conservation efforts, scientific research, management guidance, planning policy, green finance opportunities, ELMS and more!
- It can be directly linked with the emerging **green finance** market (e.g. The Strategic Significance modifier within the Biodiversity Metric).
- It can be used as an **engagement tool** to encourage the general public to deliver action for nature.



What is BNG?



Biodiversity Net Gain is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand.

Net gain means that development results an overall positive impact on biodiversity rather having a neutral impact or decreasing it.

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The Environment Act 2021 amends Town & Country Planning Act 1990. It sets out the following key components of mandatory biodiversity gain:

- Every grant of planning permission is deemed to have been granted subject to a general biodiversity gain condition to secure the biodiversity gain objective.
- Calculated using Natural England's Statutory Biodiversity Metric
- The objective is to deliver at least a 10% increase in relation to the pre-development biodiversity value of the development granted permission.
- All off-site habitat and 'significant' on-site habitat secured and managed for at least 30 years via conditions (on-site only), planning obligations or conservation covenants;
- National register for net gain delivery sites.



BNG Development Management Update

- 3 x major applications received since 12th February
- 2 x applications reviewed, both aiming to deliver on-site BNG
- Secured with planning conditions, rather than s106 agreements
- Minor applications within scope from 2nd April.

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Biodiversity Net Gain and the LNRS

- Currently BNG is the only 'land management' scheme that is directly linked to the LNRS.
- Agri-environment schemes (e.g. ELMS) will need to link to the LNRS for it to be fully deliverable.
- We should not expect BNG to 'deliver' all the LNRS priorities, but it can help.
- BNG has a strong link with the LNRS as habitats receive a 10%-15% uplift in unit value within the Biodiversity Metric if they are located within areas that are considered to be of 'High' or 'Medium' strategic significance for that habitat.
- BNG's potential to contribute to LNRS delivery could be further enhanced through a requirement over and above the mandatory 10% in the local plan. The current council administration has an ambition for 20%. Robust evidence needed.
- Nutrient Neutrality mitigation can help but NN lacks the direct link with the LNRS that BNG has.



Biodiversity Net Gain and the LNRS

- We have developed interim guidance linking strategic significance with the pilot LNRS, areas identified on the LNRS network maps will:

Receive a 10% or 15% uplift in their baseline unit value for the habitat type in question (making them **less desirable for development** than lower value land outside the LNRS).

Receive a 15% uplift in the unit value of habitat created or enhanced for the purposes of BNG to the specification of the habitat type in question (making them **more desirable for BNG offsetting**). network maps).



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Ref	Existing area habitats			Condition		Strategic significance			Ecological baseline
	Broad Habitat	Habitat Type	Area (hectares)	Condition	Score	Strategic significance	Strategic significance	Strategic significance multiplier	Total habitat units
1	Grassland	Lowland meadows	1	Good	3	Formally identified in local strategy	High strategic significance	1.15	27.60
2	Grassland	Lowland meadows	1	Good	3	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	1	24.00





Biodiversity Net Gain and the LNRS

- Updated guidance will be developed in parallel with the LNRS ‘proper’. This should:
 - Encourage BNG offsetting to occur where it will be most beneficial (as identified by the LNRS).
 - Provide a direct link between the LNRS and the emerging green finance market. Due to the strategic significance multiplier habitats created within LNRS network zones should be ‘worth’ more in financial terms.
- There is further work to do to incorporate less valuable habitats which can help connect ‘priority’ habitats.

Timeline and Next Steps

- The Environment Act 2021 mandates Local Nature Recovery Strategies (LNRS) to prioritise nature restoration in Cumbria.
- Westmorland and Furness, as the LNRS Responsible Authority and Supporting Authorities will ensure adherence to DEFRA (Department for Environment, Food & Rural Affairs) regulations and guidance and ensures alignment with BNG.

The committee is recommended to:

- Support the LNRS and BNG implementation and its role in achieving nature recovery.
- Provide comments and feedback on the draft LNRS Strategy later in the year.

Benefits

- Aligning BNG with the LNRS maximizes benefits for nature recovery.
- Nature recovery supports Council Plan priorities and will inform and shape the councils Biodiversity Action Plan (Part 2)
- Public consultation ensures the LNRS reflects stakeholder needs.
- Ongoing scrutiny ensures compliance and maximises benefits from LNRS and BNG.
- Continued collaboration with stakeholders will refine the LNRS.

Reporting:

- The Climate and Nature program will implement a quarterly reporting framework enabling members to monitor progress on Local Nature Recovery Strategy (LNRS) priorities. These priorities will be fully aligned with Part 2 of the Biodiversity Action Plan which will finalized in early 2025 (post LNRS submission).



Any Questions



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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

STATUTORY INSTRUMENTS

2023 No. 341

**ENVIRONMENTAL PROTECTION, ENGLAND
NATURE CONSERVATION, ENGLAND**

The Environment (Local Nature Recovery
Strategies) (Procedure) Regulations 2023

<i>Made</i>	- - - -	<i>22nd March 2023</i>
<i>Laid before Parliament</i>		<i>23rd March 2023</i>
<i>Coming into force</i>	- -	<i>13th April 2023</i>

The Secretary of State makes these Regulations in exercise of the power conferred by sections 105(4) and (5) and 143(1) of the Environment Act 2021⁽¹⁾.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023.

(2) These Regulations come into force on 13th April 2023.

(3) These Regulations extend to England and Wales.

Interpretation

2. In these Regulations—

“consultation draft” has the meaning given in regulation 7(3);

“final local nature recovery strategy” has the meaning given in regulation 13(4);

“neighbouring responsible authority” means a responsible authority whose local nature recovery strategy relates to an area adjacent to the strategy area for a local nature recovery strategy;

“publication advisory notice” has the meaning given in regulation 15(1);

“supporting authority” has the meaning given in regulation 3.

(1) 2021 c. 30.

Supporting authorities

- 3.—(1) In these Regulations, a supporting authority for a local nature recovery strategy is—
- (a) where the strategy area⁽²⁾ wholly or partly includes the area to which the authority relates, an authority listed in section 105(2)(a) to (e) of the Environment Act 2021; and
 - (b) Natural England.
- (2) But a responsible authority⁽³⁾ is not a supporting authority for its own local nature recovery strategy.

Involvement of supporting authorities and other persons in the preparation of a local nature recovery strategy

- 4.—(1) A responsible authority must take reasonable steps to involve all supporting authorities for its local nature recovery strategy in the preparation of the local nature recovery strategy.
- (2) The responsible authority must, in particular—
- (a) ensure the supporting authorities are provided with such information pertaining to the local nature recovery strategy as the responsible authority considers relevant;
 - (b) ensure that supporting authorities are aware of how they may contact the responsible authority; and
 - (c) have regard to any opinions expressed by the supporting authorities in relation to the local nature recovery strategy.
- (3) The responsible authority must take reasonable steps to involve such persons and organisations as appear to the responsible authority to be appropriate in the preparation of its local nature recovery strategy.
- (4) The responsible authority must consider—
- (a) how it intends to involve the supporting authorities, persons and organisations in the preparation of its local nature recovery strategy;
 - (b) which aspects of the statement of biodiversity priorities⁽⁴⁾ for the strategy area in respect of which it intends to involve the supporting authorities, persons or organisations; and
 - (c) which aspects of the local habitat map⁽⁵⁾ for the strategy area in respect of which it intends to involve the supporting authorities, persons or organisations.
- (5) The responsible authority must keep under review—
- (a) the persons and organisations it considers are appropriate to involve;
 - (b) the aspects of the statement of biodiversity priorities and local habitat map for the strategy area in respect of which it intends to involve the supporting authorities, persons or organisations.

Publication of information relating to local nature recovery strategies

- 5.—(1) A responsible authority must publish the information in paragraph (4) in accordance with this regulation.
- (2) Where the responsible authority has a website, it must publish the information on that website.
- (3) Where the responsible authority does not have a website, it must—

(2) See section 105(1) of the Environment Act 2021.

(3) See 105(2) of the Environment Act 2021 for the meaning of section “responsible authority”.

(4) See section 106(1)(a) and (2) of the Environment Act 2021.

(5) See section 106(1)(b), (3) and (4) of the Environment Act 2021.

- (a) arrange for the information to be published on a website; and
 - (b) make the address of that website known to all supporting authorities for the local nature recovery strategy.
- (4) The information to be published is—
- (a) contact details for the individual or department responsible for preparing its local nature recovery strategy;
 - (b) where its local nature recovery strategy is not yet published, details as to current progress on its preparation;
 - (c) where relevant, information as to the review (under regulation 20) of its local nature recovery strategy; and
 - (d) any plans it has to republish its local nature recovery strategy following a review under regulation 20.

Local nature reserves and other areas of local importance to biodiversity

6.—(1) A responsible authority must take reasonable steps to ascertain the location and area of every—

- (a) local nature reserve; and
- (b) relevant site,

wholly or partly within the strategy area.

(2) A local planning authority that receives a request made by a responsible authority in relation to its local nature recovery strategy for information which it holds relating to a local nature reserve or relevant site in the local planning authority's area must provide that information to the responsible authority before the expiry of 28 days beginning with the day on which the request is received.

(3) But the obligation in paragraph (2) does not apply if the local planning authority has a legitimate reason why the information should not become publicly available.

(4) In this regulation—

“local nature reserve” means an area established as such under section 21(1) of the National Parks and Access to the Countryside Act 1949(6);

“local planning authority” means a person who is a local planning authority for the purposes of any provision of Part 3 of the Town and Country Planning Act 1990(7);

“relevant site” means a site, that is not a local nature reserve, recognised by the local planning authority in whose area the site is located as justifying protection for its value to biodiversity but which is not a national conservation site(8).

Provision of consultation draft to supporting authorities

7.—(1) A responsible authority must provide all supporting authorities for the local nature recovery strategy with the consultation draft of its local nature recovery strategy and request their comments.

(6) 1949 c. 97; section 21(1) was amended by paragraph 100 of Schedule 27 to the Local Government (Scotland) Act 1973 (c. 65); section 10 of the Local Government and Planning (Scotland) Act 1982 (c. 43), Schedule 14 to the Local Government etc. (Scotland) Act 1994 (c. 39); and paragraph 15 of Schedule 11 to the Natural Environment and Rural Communities Act 2006 (c. 16).

(7) 1990 c. 8; section 1 was amended by Schedule 21 to the Leasehold Reform, Housing and Urban Development Act 1993; section 18 of, and paragraph 1 of Schedule 18 to, the Local Government (Wales) Act 1994 (c. 19); paragraph 32 of Schedule 10 and paragraph 1 of Schedule 24 to the Environment Act 1995 (c. 25); and section 31 of the Greater London Authority Act 2007 (c. 24).

(8) For the definition of “national conservation site” see section 108(3) of the Environment Act 2021.

(2) But where a responsible authority has received a notice under regulation 20 (review), the responsible authority may not provide supporting authorities with its local nature recovery strategy under this regulation unless it has reviewed the local nature recovery strategy in accordance with that regulation.

(3) A “consultation draft”, in relation to a local nature recovery strategy, is a local nature recovery strategy the responsible authority considers is ready to be consulted on under regulation 12.

Provision of consultation draft to neighbouring responsible authorities

8. Within a reasonable time of providing the consultation draft of its local nature recovery strategy to all supporting authorities under regulation 7, a responsible authority must provide a copy of the consultation draft to all neighbouring responsible authorities for the local nature recovery strategy.

Pre-consultation objections

9.—(1) A supporting authority that has been provided with a consultation draft of a local nature recovery strategy under regulation 7 may raise an objection with the responsible authority about—

- (a) the local nature recovery strategy; or
 - (b) the responsible authority’s preparation of the local nature recovery strategy, including the extent to which the responsible authority has involved the supporting authority in that preparation.
- (2) An objection under paragraph (1) must—
- (a) be in writing;
 - (b) give reasons for the objection; and
 - (c) be given before the expiry of 28 days beginning with the day on which the responsible authority provided the supporting authority with the consultation draft of its local nature recovery strategy under regulation 7.

Resolution of pre-consultation objections by the Secretary of State

10.—(1) This regulation applies where a responsible authority has received an objection to the consultation draft of its local nature recovery strategy under regulation 9.

(2) Where this regulation applies, the responsible authority may write to the Secretary of State to request permission to consult on its local nature recovery strategy under regulation 12.

- (3) A request to the Secretary of State under paragraph (2) must—
- (a) be in writing;
 - (b) enclose a copy of the local nature recovery strategy;
 - (c) enclose the supporting authority’s objection to its local nature recovery strategy;
 - (d) set out any steps taken by the responsible authority to address the objection;
 - (e) explain why the responsible authority considers it is reasonable for the consultation to proceed; and
 - (f) enclose all relevant correspondence between the responsible authority and the supporting authority.
- (4) A responsible authority which has made a request under paragraph (2) must, as soon as reasonably practical after making the request—
- (a) give a copy of the request to all supporting authorities for the local nature recovery strategy; and

- (b) confirm in writing to the Secretary of State the date on which, and the method by which, the copy of the request was given to each supporting authority for the local nature recovery strategy.
- (5) A supporting authority for the local nature recovery strategy may, before the expiry of 14 days beginning with the date on which it was given the copy of the request, submit such information to the Secretary of State as it considers relevant.
- (6) The Secretary of State, on receiving an request under paragraph (2), must decide to—
 - (a) permit the responsible authority to consult on its local nature recovery strategy; or
 - (b) permit the responsible authority to consult on its local nature recovery strategy subject to such conditions as the Secretary of State considers appropriate.
- (7) In making a decision under paragraph (6) the Secretary of State must, in particular, have regard to—
 - (a) whether the objection raised by the supporting authority is reasonable;
 - (b) any steps taken by the responsible authority to address the objection;
 - (c) the explanation given by the responsible authority as to why it is reasonable to proceed with the consultation; and
 - (d) the conduct of the responsible authority in preparing its local nature recovery strategy, including the extent to which it has involved supporting authorities.
- (8) A decision under paragraph (6) may not be made before the expiry of 14 days beginning with the date on which every supporting authority for the local nature recovery strategy has been given a copy of the request by the responsible authority.
- (9) The Secretary of State must inform all supporting authorities for the local nature recovery strategy of their decision under paragraph (6).

Pre-consultation requirements

- 11.**—(1) A responsible authority may not consult under regulation 12 unless it has complied with regulations 5, 6, 7 and 8.
- (2) Subject to paragraph (3), a responsible authority may not consult under regulation 12 unless—
 - (a) 28 days have expired, beginning with the date on which all supporting authorities for the local nature recovery strategy had been provided with the consultation draft under regulation 7; or
 - (b) all of the supporting authorities for the local nature recovery strategy confirm in writing that they are content for the consultation to proceed.
 - (3) A responsible authority that has received an objection under regulation 9 in respect of its local nature recovery strategy may not consult under regulation 12 unless—
 - (a) both of the following have occurred—
 - (i) 28 days have expired, beginning with the date on which all supporting authorities for the local nature recovery strategy had been provided with the consultation draft under regulation 7; and
 - (ii) the supporting authority that raised the objection has confirmed in writing that it is content for the consultation to proceed;
 - (b) all of the supporting authorities for the local nature recovery strategy confirm in writing that they are content for the consultation to proceed; or
 - (c) where the responsible authority has requested permission to consult from the Secretary of State under regulation 10(2), the Secretary of State—

- (i) has decided under regulation 10(6)(a) to permit the responsible authority to consult; or
- (ii) has decided under regulation 10(6)(b) to permit the responsible authority to consult subject to conditions.

(4) Where paragraph (3)(c)(ii) applies, the responsible authority may not consult on its consultation draft until the conditions specified by the Secretary of State have been satisfied.

Consultation

12.—(1) A responsible authority must consult on its local nature recovery strategy (subject to regulation 11) .

(2) The responsible authority must publish all responses to the consultation within a reasonable time of the consultation concluding.

Pre-publication approval

13.—(1) A responsible authority must provide its final local nature recovery strategy to all supporting authorities for the local nature recovery strategy.

(2) At the same time, the responsible authority must inform the supporting authorities in writing of its intended date for publication of its local nature recovery strategy.

(3) A responsible authority may not provide its final local nature recovery strategy to any supporting authorities under this regulation until its consultation under regulation 12 has concluded.

- (4) In this regulation “final local nature recovery strategy” is the local nature recovery strategy—
- (a) in relation to which the consultation under regulation 12 has been undertaken; and
 - (b) the responsible authority considers is ready to be published under regulation 19.

Provision of final draft to neighbouring responsible authorities

14. Within a reasonable time of providing its final local nature recovery strategy to all supporting authorities for the local nature recovery strategy under regulation 13, a responsible authority must provide a copy of the final local nature recovery strategy to all neighbouring responsible authorities for the local nature recovery strategy.

Publication advisory notice

15.—(1) A supporting authority that satisfies the condition in paragraph (2) or paragraph (3) may give a notice (a “publication advisory notice”) to the responsible authority.

(2) The condition in this paragraph is that the supporting authority considers that part of a final local nature recovery strategy cannot be justified based on the results of the consultation undertaken by the responsible authority under regulation 12.

(3) The condition in this paragraph is that the supporting authority considers that the final local nature recovery strategy is materially deficient.

(4) Where this regulation applies, the supporting authority may, before the expiry of 28 days beginning with the date on which the final local nature recovery strategy is given to them under regulation 13(1), give a notice (“a publication advisory notice”) to the responsible authority

- (5) A publication advisory notice must—
- (a) be in writing;

- (b) where paragraph (2) applies, explain why the supporting authority considers that parts of the final local nature recovery strategy cannot be justified based on the results of the consultation undertaken by the responsible authority under regulation 12; and
 - (c) where paragraph (3) applies, explain why the supporting authority considers that the final local nature recovery strategy is materially deficient.
- (6) The supporting authority must give a copy of the publication advisory notice to the Secretary of State within a reasonable time of it being given to the responsible authority.
- (7) A responsible authority that receives a publication advisory notice must investigate the matters raised in the notice.
- (8) The responsible authority must reply to the supporting authority that gave it the publication advisory notice before the expiry of 28 days beginning with the date on which it received the notice.
- (9) A reply to a publication advisory notice must—
- (a) be in writing;
 - (b) set out the results of the responsible authority’s investigation under paragraph (7); and
 - (c) set out any further steps the responsible authority intends to take, or has taken, in relation to the matters raised in the notice.
- (10) A responsible authority must give a copy of its reply to the Secretary of State within a reasonable time of the reply being given to the supporting authority in question.

Resolution of publication advisory notice by the Secretary of State

- 16.**—(1) This regulation applies where—
- (a) a publication advisory notice has been given by a supporting authority to a responsible authority; and
 - (b) the supporting authority which gave the publication advisory notice has not subsequently informed the responsible authority that it is content for the responsible authority to publish its local nature recovery strategy under regulation 19.
- (2) Where this regulation applies, the responsible authority may write to the Secretary of State to request permission to publish its final local nature recovery strategy under regulation 19.
- (3) A responsible authority may not make a request to the Secretary of State under paragraph (2) unless—
- (a) it has investigated the matters raised in the publication advisory notice; and
 - (b) it has replied to the publication advisory notice.
- (4) A request to the Secretary of State under paragraph (2) must—
- (a) be in writing;
 - (b) enclose a copy of its final local nature recovery strategy; and
 - (c) contain such other information as the responsible authority considers relevant to the request.
- (5) A responsible authority which has made a request under paragraph (2) must, as soon as reasonably practical after making the request—
- (a) give a copy of the request to all supporting authorities for the local nature recovery strategy;
 - (b) give a copy of the publication advisory notice to all supporting authorities for the local nature recovery strategy, except for the supporting authority that gave it the notice; and

- (c) confirm in writing to the Secretary of State the date on which, and the method by which, the copy of the request was given to each supporting authority for the local nature recovery strategy.
- (6) A supporting authority for the local nature recovery strategy may, before the expiry of 14 days beginning with the date on which the copy of the request was received, submit to the Secretary of State such information as it considers relevant.
- (7) The Secretary of State, upon receiving a request under paragraph (2), must—
 - (a) permit the responsible authority to publish its final local nature recovery strategy; or
 - (b) permit the responsible authority to publish its final local nature recovery strategy, subject to such conditions as the Secretary of State considers appropriate.
- (8) A decision under paragraph (7) may not be made until the expiry of 28 days beginning with the date on which every supporting authority for the local nature recovery strategy had been given a copy of the request by the responsible authority.
- (9) The Secretary of State must inform all supporting authorities for the local nature recovery strategy of their decision under paragraph (7).

Notice to the Secretary of State of intention to publish

- 17.—(1) A responsible authority must give reasonable notice to the Secretary of State of its intention to publish a final local nature recovery strategy under regulation 19.
- (2) A notice under paragraph (1) must—
 - (a) be in writing;
 - (b) state the intended date of publication; and
 - (c) give details as to the website on which the local nature recovery strategy will be published.
 - (3) The final nature recovery strategy must be provided to the Secretary of State with the notice under paragraph (1).
 - (4) The final local nature recovery strategy must be provided in an editable electronic format which presents all relevant parts separately, or enables them to be separated, so that those relevant parts may be electronically combined with relevant parts of other local nature recovery strategies.
 - (5) “Relevant parts” of a local nature recovery strategy are the parts of it concerning—
 - (a) the location and extent of areas in the strategy area which, in the opinion of the responsible authority, are of particular importance for biodiversity;
 - (b) the location and extent of areas in the strategy area which, in the opinion of the responsible authority—
 - (i) could become of particular importance for biodiversity; or
 - (ii) are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits;
 - (c) proposals by the responsible authority as to potential measures relating to the priorities, in terms of habitats and species, for recovering or enhancing biodiversity;
 - (d) the locations in relation to which the potential measures referred to in sub-paragraph (c) have been proposed;
 - (e) the location and extent of areas where action has been undertaken to improve the area’s importance for biodiversity; and
 - (f) where paragraph (e) applies, the actions carried out in those locations.

Pre-publication requirements

18.—(1) A responsible authority may not publish its final local nature recovery strategy under regulation 19 unless the consultation under regulation 12 has concluded in relation to the local nature recovery strategy.

(2) A responsible authority may not publish its final local nature recovery strategy under regulation 19 unless it has notified the Secretary of State of its intention to publish in accordance with regulation 17.

(3) Subject to paragraph (4) a responsible authority may not publish its final local nature recovery strategy under regulation 19 unless—

(a) 28 days have expired, beginning with the date on which it provided its local nature recovery strategy under regulation 13 to all of the supporting authorities for the local nature recovery strategy; or

(b) all of the supporting authorities for the local nature recovery strategy confirm in writing they are content for the local nature recovery strategy to be published.

(4) A responsible authority that has received a publication advisory notice in respect of a final local nature recovery strategy may not publish it under regulation 19 unless—

(a) both of the following have occurred—

(i) 28 days have expired, beginning with the date on which it provided its final local nature recovery strategy under regulation 13 to all supporting authorities for the local nature recovery strategy ; and

(ii) the supporting authority that gave the publication advisory notice has confirmed in writing that it is content for the final local nature recovery strategy to be published;

(b) all of the supporting authorities for the local nature recovery strategy confirm in writing that they are content for the final local nature recovery strategy to be published; or

(c) where the responsible authority has made a request to the Secretary of State under regulation 16(2), the Secretary of State—

(i) has decided under regulation 16(7)(a) to permit the responsible authority to publish its final local nature recovery strategy; or

(ii) has decided under regulation 16(7)(b) to permit the responsible authority to publish its final local nature recovery strategy subject to conditions; and

(5) Where paragraph (4)(c)(ii) applies, the responsible authority may not publish its final local nature recovery strategy under regulation 19 until the conditions have been satisfied.

Publication

19.—(1) A responsible authority must publish its final local nature recovery strategy in accordance with this regulation (subject to regulation 18).

(2) Where the responsible authority has a website, the final local nature recovery strategy must be published on that website.

(3) Where the responsible authority does not have a website, the responsible authority must—

(a) arrange for the final local nature recovery strategy to be published on a website; and

(b) make the address of that website known to all supporting authorities for the local nature recovery strategy.

(4) A responsible authority must make hard copies of the final local nature recovery strategy available to inspect at the responsible authority's office.

(5) A responsible authority may not change a published local nature recovery strategy other than in accordance with these Regulations without the written agreement of the Secretary of State.

Review

20.—(1) The Secretary of State must from time to time give notice to a responsible authority of the need to review its local nature recovery strategy.

(2) A notice under paragraph (1) must—

- (a) be in writing;
- (b) specify a date at least 4 months and no later than 8 months beginning with the date on which the notice was given before which the review must begin;
- (c) give an indicative date for completion of the review;
- (d) give an indicative date for republication of its local nature recovery strategy.

(3) The Secretary of State must give their first notice under paragraph (1) to each responsible authority—

- (a) after the expiry of three years beginning with the date on which these Regulations come into force; and
- (b) before the expiry of 10 years, also beginning with that date.

(4) Subsequent notices under paragraph (1) must be given at intervals of no less than 3 years and no more than 10 years.

(5) A responsible authority given a notice under paragraph (1) must begin its review of its local nature recovery strategy before the date specified in accordance with paragraph (2)(b).

(6) A review of a local nature recovery strategy must include—

- (a) a review of the statement of biodiversity priorities and local habitat map;
- (b) an assessment of progress in achieving the priorities for recovering or enhancing biodiversity set out in the local nature recovery strategy's statement of biodiversity priorities;
- (c) an assessment of any actions taken to enable areas in the strategy area to become of particular importance for biodiversity; and
- (d) an assessment of any actions taken to recover or enhance biodiversity in areas within the strategy area for the purpose of achieving environmental benefits.

(7) Paragraph (8) applies where changes to a local authority's area or the boundary of the strategy area of a local nature recovery strategy may affect a responsible authority's published local nature recovery strategy.

(8) Where this paragraph applies, the responsible authority must, as part of its review under this regulation, consider the effect of those changes on its local nature recovery strategy.

(9) When reviewing its local nature recovery strategy, a responsible authority must have regard to—

- (a) the indicative date for completion of the review, given in accordance with paragraph (2)(c); and
- (b) the indicative date for republication of its local nature recovery strategy, given in accordance with paragraph (2)(d).

22nd March 2023

Trudy Harrison
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Environment Act 2021 (c. 30, “the Act”) requires responsible authorities in England to prepare and publish local nature recovery strategies. A responsible authority under the Act is such of the following authorities as is appointed by the Secretary of State: a local authority whose area is, or is within, the strategy area; the Mayor of London; the mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 (c. 20); a National Park Authority in England; the Broads Authority; and Natural England. Responsible authorities are further required to review and republish their local nature recovery strategies from time to time.

These Regulations make provision in relation to the preparation of local nature recovery strategies. In particular, they make provision about the procedure to be followed in their preparation and publication, and review and republication.

Regulation 3 defines which organisations are “supporting authorities” for the purposes of the Regulations.

Regulation 4 requires responsible authorities to take reasonable steps to involve all supporting authorities for the local nature recovery strategy in its preparation and makes provision as to the form this must take.

Regulation 5 requires responsible authorities to publish certain information relating to local nature recovery strategies.

Regulation 6 requires responsible authorities to take all reasonable steps to ascertain the location and area of all local nature reserves and other relevant sites (as defined) wholly or partly within the strategy area. It also requires local planning authorities to provide requested information relating to those sites within 28 days.

Regulation 7 requires responsible authorities to provide all supporting authorities for the local nature recovery strategy with the draft strategy it considers ready to consult on under regulation 12 (“the consultation draft”) and request their comments.

Regulation 8 requires responsible authorities to provide the consultation draft of the local nature recovery strategy to responsible authorities whose local nature recovery strategy relates to an area adjacent to the strategy area.

Regulation 9 gives supporting authorities power to object to a consultation draft of a local nature recovery strategy or the responsible authority’s preparation of it. Raising an objection has the effect of preventing the responsible authority from consulting under regulation 12 until the objection is resolved.

Regulation 10 gives responsible authorities that have received an objection to their consultation draft power to request permission from the Secretary of State to consult under regulation 12. The supporting authorities for the local nature recovery strategy may submit such information to the Secretary of State as they consider relevant. Power is given to the Secretary of State to permit the responsible authority to proceed with its consultation or proceed subject to conditions.

Regulation 11 specifies requirements that must be satisfied before a consultation can be conducted under regulation 12.

Regulation 12 requires responsible authorities to consult on their local nature recovery strategies and sets out the related requirements. It further provides that all responses received by the responsible authority in response to the consultation must be published.

Regulation 13 requires responsible authorities to provide the local nature recovery strategy it intends to publish to all supporting authorities for the local nature recovery strategy. This may not be done until the consultation under regulation 12 has concluded.

Regulation 14 requires responsible authorities to give the local nature recovery strategy it intends to publish to responsible authorities whose local nature recovery strategy relates to an area adjacent to the strategy area.

Regulation 15 provides that a supporting authority may submit a publication advisory notice to the responsible authority. It may do this if it considers that either parts of a final local nature recovery strategy cannot be justified based on the results of the consultation undertaken under regulation 12 or that the strategy is materially defective. Giving a publication advisory notice has the effect of preventing a responsible authority from publishing its local nature recovery strategy until the issues raised in the notice are resolved.

Regulation 16 gives responsible authorities that have received a publication advisory notice power to request permission from the Secretary of State to publish their local nature recovery strategy. The supporting authorities for the local nature recovery strategy may submit such information to the Secretary of State as they consider relevant. Power is given to the Secretary of State to permit the responsible authority to publish its local nature recovery strategy, or publish it subject to conditions.

Regulation 17 requires responsible authorities to give notice to the Secretary of State of their intention to publish a local nature recovery strategy. It also requires responsible authorities to provide their local nature recovery strategies to the Secretary of State at the same time and makes provision for the format in which the local nature recovery strategy must be provided.

Regulation 18 specifies requirements that must be satisfied before a responsible authority can publish a local nature recovery strategy under regulation 19.

Regulation 19 makes provision for the publication of local nature recovery strategies. Local nature recovery strategies must be published on a website and hard copies must be made available. A responsible authority may not publish a local nature recovery strategy that has not been consulted on under regulation 12. It also provides that a responsible authority may not change a published local nature recovery strategy other than in accordance with the regulations without the written agreement of the Secretary of State.

Regulation 20 requires the Secretary of State to give notice to responsible authorities of the need to review their local nature recovery strategies. The first such notice must be given no earlier than 3 years and no later than 10 years after these Regulations come into force and subsequent notices must be given at intervals of no less than 3 and no greater than 10 years. This regulation further makes provision as to when a review must begin and the content of a review.

A full impact assessment has not been prepared for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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Department
for Environment
Food & Rural Affairs

Local nature recovery strategy statutory guidance

What a local nature recovery strategy should contain

Presented to Parliament pursuant to Section 106(5) of the Environment Act
2021

March 2023

We are the Department for Environment, Food and Rural Affairs. We are responsible for improving and protecting the environment, growing the green economy, sustaining thriving rural communities and supporting our world-class food, farming and fishing industries.

We work closely with our 33 agencies and arm's length bodies on our ambition to make our air purer, our water cleaner, our land greener and our food more sustainable. Our mission is to restore and enhance the environment for the next generation, and to leave the environment in a better state than we found it.



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1. This guidance is provided by the Secretary of State for Environment, Food and Rural Affairs under [section 106\(5\) of the Environment Act 2021](#) (hereafter, ‘the Act’) It explains what a responsible authority should include in their local nature recovery strategy. Responsible authorities are required by law to have regard to this guidance when preparing their strategy. Responsible authorities should read this guidance alongside the [local nature recovery strategy regulations](#) which set out the procedure to be followed in the preparation and publication, and review and republication of local nature recovery strategies.

About local nature recovery strategies

2. Local nature recovery strategies are a system of spatial strategies for nature and environmental improvement required by law under the Act. Each strategy must:
 - agree priorities for nature’s recovery
 - map the most valuable existing areas for nature
 - map specific proposals for creating or improving habitat for nature and wider environmental goals
3. The Defra Secretary of State decides the area that each strategy covers, and appoints a ‘responsible authority’ to lead its preparation, publication, review and republication. Defra will publish information on the area covered by each strategy and who the responsible authorities are. Together, the strategies will cover the whole of England with no gaps and no overlaps.
4. The main purpose of the strategies is to identify locations to create or improve habitat most likely to provide the greatest benefit for nature and the wider environment. The strategies do not force the owners and managers of the land identified to make any changes. Instead, the government is encouraging action through, for example, opportunities for funding and investment.
5. Actions which support and draw on nature to provide wider environmental or societal benefits are called ‘nature-based solutions’. Having both actions for nature recovery and nature-based solutions will help join up work to improve how land is managed for different environmental reasons and find activities that have multiple benefits.
6. Responsible authorities should involve people and groups from across the public, private and voluntary sectors and help them to work together. The strategy will benefit from their understanding of what environmental issues are most important locally. This will also encourage them to carry out the proposals in the strategy.
7. The Act establishes 2 mechanisms to support the delivery of local nature recovery strategies:
 - [mandatory biodiversity net gain](#)
 - [a strengthened biodiversity duty on public authorities](#)

The strategies will identify where action to achieve net gain will have the most impact and encourage action in these locations through the way net gain is calculated. All public

authorities will also have to have regard to relevant local nature recovery strategies under the strengthened biodiversity duty.

8. The government intends for local nature recovery strategies to inform the local planning process. Local planning authorities must have regard to them in complying with the strengthened biodiversity duty. The government will provide separate guidance to explain what this means in practice.
9. Further support for strategy delivery may come from funding for specific activities mapped by the strategy.
10. Responsible authorities should contribute to the delivery of their strategy as well as leading its preparation. However, they are not solely responsible for delivering the strategy. This should be a shared effort with public, private and voluntary sector partners all playing a role.
11. Responsible authorities must review and republish their strategies as part of an ongoing cycle which considers what has been achieved and proposes what further work is needed for nature to recover. The local nature recovery strategy regulations set out when and how often reviews will take place. The stages in this cycle are:
 - 1. Prepare - agree priorities, identify 'potential measures' (actions for achieving them) and map suitable locations for carrying them out.
 - 2. Publish - finalise the strategy and make it available.
 - 3. Take action - local partners work together with landowners and managers to create and enhance habitat for nature and environment, and take other biodiversity-positive actions.
 - 4. Review - recognise what actions have been delivered, including those not identified in the current strategy.
 - 5. Update - revisit priorities, potential measures and suitable locations, to reflect progress and changing circumstances to ensure the strategy remains relevant and ambitious.
 - 6. Republish - finalise the updated strategy and make it available.

Figure 1: Local nature recovery strategy review and republication cycle



Working with local partners

12. Under the regulations, responsible authorities must work together with partners when preparing their strategy and later when reviewing and preparing it for republication. This aims to:

- provide a single vision for nature recovery and the use of nature-based solutions that all interested parties have been able to contribute to and work towards
- build and strengthen local partnerships that will be important for carrying out the strategies as well as preparing them
- involve the people who own and manage the land, and the people who take regulatory decisions, so they can contribute to what action is being proposed, where and why

13. In working with partners, responsible authorities should apply these principles:

- transparency – be able to show how partner contributions have been considered, how decisions have been made, and what the basis for them is
- inclusivity – enable everyone with an interest to be involved where possible
- clear communication – avoid using technical terms that may not be understood by partners and end users

14. By working with local partners in this way, responsible authorities will be able to produce strategies that are technically sound and evidence based. They will also benefit from local knowledge and have the support from partners to help achieve successful delivery.

15. Responsible authorities should consider and set out how they intend to engage and actively involve local partner organisations and communities early in the process of

preparing or reviewing their strategy. This should include engaging with supporting authorities and neighbouring responsible authorities.

What to include in a local nature recovery strategy

16. This section explains what to include in a local nature recovery strategy. It follows the same order as the steps responsible authorities should take to prepare or review their strategy.

17. By law, each local nature recovery strategy must include:

- a statement of biodiversity priorities
- a local habitat map

18. Under the Act, the written statement of biodiversity priorities must include:

- a description of the strategy area and its biodiversity
- a description of the opportunities for recovering or enhancing biodiversity in the strategy area
- the priorities for recovering or enhancing biodiversity (taking into account the contribution that this can also make to other environmental benefits)
- proposals as to potential measures relating to those priorities

Its purpose is to draw together existing information on the state of nature and the environment in the strategy area, to agree what the strategy is trying to achieve and to identify practical actions that could achieve them.

19. The local habitat map must identify:

- national conservation sites in the strategy area
- local nature reserves in the strategy area

The habitat map must also identify other areas in the strategy area which in the opinion of the responsible authority:

- are, or could become, of particular importance for biodiversity, or
- are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits

Its purpose is to provide a clear visual way for groups and individuals to understand the areas which are or could become of particular importance for biodiversity and the environment to target nature recovery action.

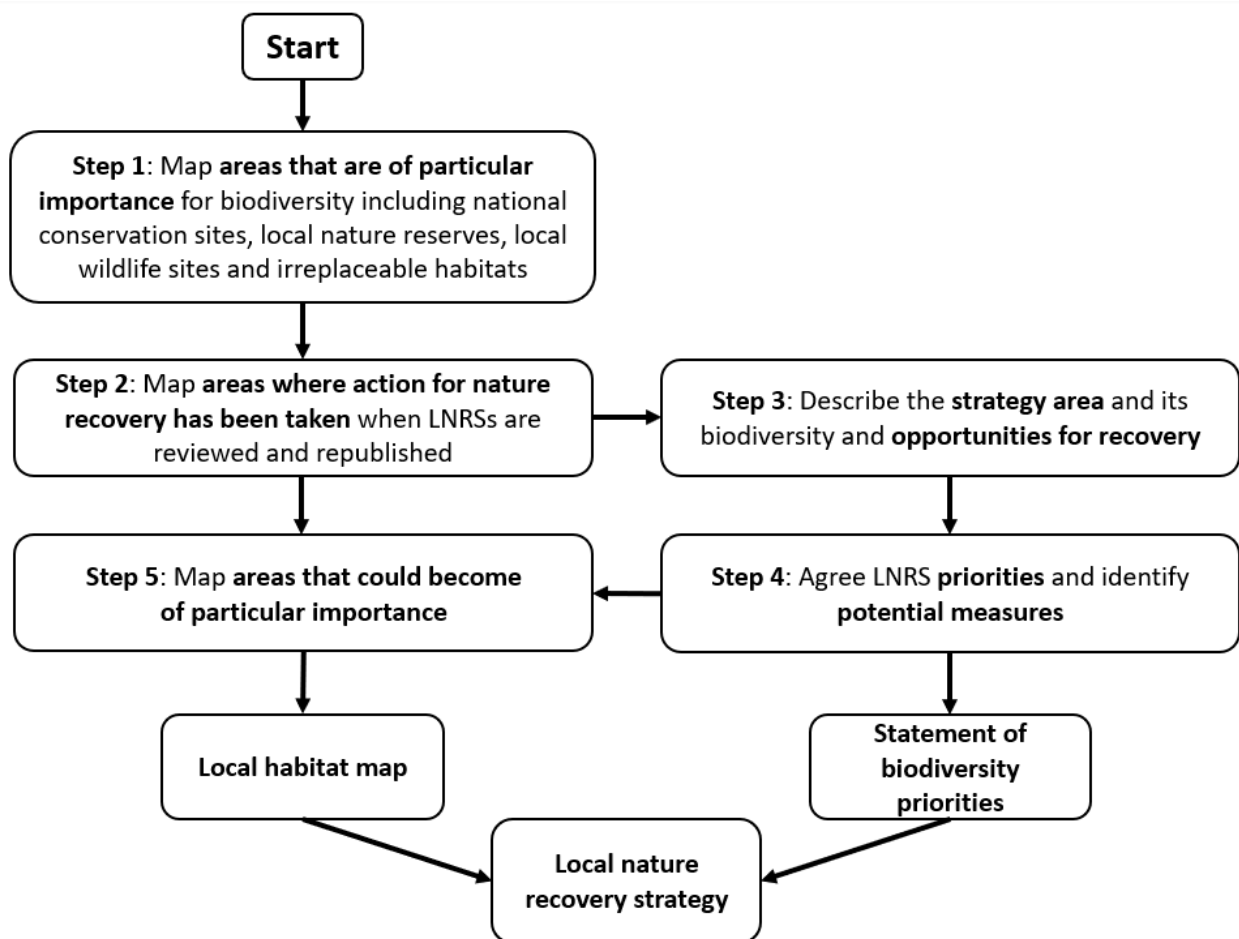
20. Responsible authorities should prepare their strategy so that the statement of biodiversity priorities and local habitat map work closely together. To do this, they should follow this order of steps:

1. Map areas of particular importance for biodiversity.
2. Map areas where nature recovery action has taken place (when the strategy is reviewed)

- 3. Describe the strategy area, its biodiversity and opportunities for recovery in the written statement.
- 4. Agree priorities and identify potential measures for achieving them in the written statement.
- 5. Map areas that could become of particular importance using the information in step 4.

Steps 1 and 2 will form part of the local habitat map. They will also provide important information for steps 3 and 4 which together form the statement of biodiversity priorities. The information written in step 4 is needed for step 5 which completes the local habitat map.

Figure 2: Order of steps to be followed in preparing contents of a local nature recovery strategy



Map areas of particular importance for biodiversity

21. Every local habitat map must identify all national conservation sites and local nature reserves. They must also identify “other areas in the strategy area which in the opinion of the responsible authority are of particular importance for biodiversity”. The government will provide responsible authorities with a national habitat map. This map

will include information on national conservation sites and local nature reserves for this purpose. As local nature reserves are identified locally, local partners may have more up-to-date information than the government can provide. The local nature recovery strategy regulations give responsible authorities powers to request information on local nature reserves from other local planning authorities in the strategy area if necessary.

22. Responsible authorities should take a consistent approach to identifying the other areas of particular importance for biodiversity in their local habitat map, they should include:
- all existing local wildlife sites
 - areas of irreplaceable habitat
 - other areas identified by the Secretary of State as being of particular importance

This will help local nature recovery strategies integrate well with other environmental and land use policies.

23. 'Local wildlife site' is a term used to describe various areas identified at a local level for their biodiversity value, which are granted protection from inappropriate development or change of use. Including them in the local habitat map as areas of particular importance will help align local nature recovery strategies with the planning system. If responsible authorities do not have information on all the local wildlife sites in their area, the local nature recovery strategy regulations provide powers to request this information from the relevant local planning authority.

24. Responsible authorities should map known areas of irreplaceable habitats, such as ancient woodland, as areas of particular importance for biodiversity. Protecting irreplaceable habitat is established government policy. The government is preparing regulations to establish a clear legal definition of 'irreplaceable habitat'. Until this is available, responsible authorities should use the definition of irreplaceable habitat in the National Planning Policy Framework.

25. The Secretary of State may identify areas that, in their opinion, are of particular importance for biodiversity. If the Secretary of State does this, they will inform the relevant responsible authority who should map these areas as being of particular importance - unless there are strong reasons not to.

26. Responsible authorities should not map any other areas that are not mentioned in paragraph 22 as being of particular importance for biodiversity. This is not to suggest that other areas are not of importance for biodiversity. This is to help establish a nationally consistent baseline of areas whose particular importance has already been recognised and are protected. This will help local nature recovery strategies align well with local planning policy and avoid duplicating with the identification of local wildlife sites.

27. If the responsible authority believes that additional areas require protection due to their particular importance, they should discuss making those areas local wildlife sites with the relevant local planning authority (if this is not the responsible authority).

28. When reviewing their local nature recovery strategy ahead of republication, responsible authorities should identify any changes to the areas of particular importance for biodiversity and update their local habitat map.
29. Responsible authorities may need to consult with other parties to identify areas of particular importance, including Natural England, other local authorities and national park authorities (where relevant). They may also need to request data from other organisations, for example on the distribution of irreplaceable habitats. However, this step is not expected to require wide engagement with local partner organisations and so should be comparatively quick to complete.

Map areas where nature recovery action has been taken

30. The Defra Secretary of State will tell responsible authorities when they must review and republish their local nature recovery strategies. This will be every 3 to 10 years. These reviews should show what actions for nature have been done since the strategy was last published. Responsible authorities are strongly encouraged to record the specific locations in their republished strategy's local habitat map where this action has been taken.
31. Mapped areas should show the previous strategy's proposed actions ('potential measures') that have been taken forward. They should also include other actions that were not included in the strategy but were done since the strategy was last published and support delivery of its priorities. Responsible authorities should consider whether the action taken is significant enough to include in the local habitat map and should get advice from Natural England if necessary. Actions should only be mapped if they have or are expected to bring about significant or lasting positive change rather than minor, short-term or uncertain benefits.
32. Responsible authorities should use both published information and information provided by local partners to undertake this mapping. Useful sources of published information include:
 - reports published by public authorities as part of their duty to conserve and enhance biodiversity
 - the biodiversity gain site register
 - other government data
33. When responsible authorities review and republish their strategies, they should decide whether the locations of previous activity can be kept on the local habitat map. Further positive action does not need to have been taken since the last republication for a location to remain mapped. However, if the responsible authority recognises that previous activity is no longer providing benefits, they should not continue to map that location. It might be better to propose more beneficial action in these areas instead.
34. Responsible authorities may need to engage with a broad range of local partners to identify areas where action has been taken to increase their importance for biodiversity. This is likely to include individuals and organisations who hold information on how areas of land are managed.

Describe the strategy area, its biodiversity and opportunities for recovery

35. Each statement of biodiversity priorities must include:

- a description of the strategy area and its biodiversity
- a description of the opportunities for recovering or enhancing biodiversity, in terms of habitats and species, in the strategy area

36. The purpose of the strategy area description is to inform setting priorities for recovering or enhancing biodiversity and environmental improvement within the strategy area. To do this, responsible authorities should consider:

- the range of habitats in the strategy area and their general distribution – especially priority habitats. They should also include habitats of local importance, including ones that support scarce or declining species
- how this distribution and extent of habitats has changed in recent decades, including habitats that may have been lost entirely from the strategy area
- the species or groups of species for which the strategy area is, or could feasibly be, of national importance
- anticipated future pressures likely to influence species or the extent, distribution or quality of different habitat types – including recognising the impact of climate change scenarios and anticipated new developments, including house building and infrastructure
- wider environmental issues affecting part or all of the strategy area which changes in land use or management could help to address – for example improvements to the water environment, flood risk management, or climate mitigation and adaptation

37. Whilst local nature recovery strategies should consider both habitats and species this guidance refers more often to habitats. This is because habitat types give a helpful indication of an area's general environmental characteristics including which species it is likely to support and what environmental benefits it may provide. Responsible authorities should refer to habitat types throughout their statement of biodiversity priorities to help link them together and connect the statement to the local habitat map.

38. When writing a statement of biodiversity priorities, responsible authorities should refer to:

- the areas of particular importance for biodiversity
- the areas where action has been taken (for strategy reviews)
- relevant nationally held data provided by government

39. Responsible authorities should also refer to a wide range of other available data and expertise from local partner organisations. This information might be sensitive or have commercial value. In this case, the responsible authority should work with the information owner on how it could be shared and used for the strategy's preparation or review without the information itself being made more widely available.

40. When describing the strategy area, responsible authorities may find it helpful to recognise sub-areas that have similar topography, geology and soil type. These characteristics will heavily influence where different habitats and land management can be supported. Neighbouring responsible authorities are encouraged to take a common approach to areas near strategy boundaries, to support good joint working across landscapes that span different strategies.
41. When describing the strategy area, responsible authorities should draw on other relevant spatial plans. This should include local plans, or environmental plans such as river basin management plans and related plans for water management. This will avoid duplicating effort and help integrate the activities that each plan is promoting into the strategy.
42. Coastal local nature recovery strategies are required to follow the relevant local authorities' boundaries. This usually means extending into the inter tidal zone as far as low water, but can be further around river estuaries. Coastal responsible authorities should consider how to factor in neighbouring marine areas and plans in their strategies. Linking local nature recovery strategies and marine spatial planning would help to identify land management changes that could benefit the estuarine or marine zone. For example, by improving the quality of water leaving river systems or managing coastal erosion risks.
43. Responsible authorities should use the 'description of the strategy area and its biodiversity' as a basis for writing 'a description of the opportunities for recovering or enhancing biodiversity, in terms of habitats and species, in the strategy area'. They could choose to combine the description of the strategy area and the description of opportunities together. For example, when describing why a habitat in the strategy is important, they could also include opportunities to recover or enhance it as part of the description.
44. Responsible authorities, with Natural England's support, should seek to:
- identify the existing or potential habitats considered to be either locally or nationally important and the practicality of improving existing areas' condition, or creating new areas of these habitats
 - identify the existing or potential species (or groups of species) in the area that the strategy could make a particular contribution to enhancing or recovering, and assess the practicality of creating or enhancing habitats to support this.
45. Responsible authorities should avoid suggesting specific locations where they could recover or enhance biodiversity in their statement of biodiversity priorities. They should only identify locations in the local habitat map. If assessing potential opportunities leads to proposals for specific locations, they should note and use these to inform the later stages of preparing the strategy.
46. When reviewing their strategy, responsible authorities should update the description and opportunities to show what has changed since the strategy was last published. Responsible authorities should also include a summary of progress in this period, or since the publication of the first strategy, or both.

47. Responsible authorities should involve partner organisations when preparing the description as this is likely to offer good engagement opportunities before critical decision-making steps later in the preparation of the strategy.

Agree priorities and identify potential measures

48. Each statement of biodiversity priorities must set out ‘the priorities, in terms of habitats and species, for recovering or enhancing biodiversity (taking into account the contribution that recovering or enhancing biodiversity can also make to other environmental benefits)’. This is an important step in the process of preparing a local nature recovery strategy as it establishes what the strategy is seeking to achieve. It is, therefore, a stage in strategy preparation where engagement with local partners will be particularly needed.

49. The reference to ‘other environmental benefits’ is an important feature of local nature recovery strategies. This is how the strategies can include ‘nature-based solutions’ to address wider environmental issues as well as priorities for recovering or enhancing biodiversity.

50. Each statement of biodiversity priorities must also include ‘proposals as to the potential measures relating to those priorities’. These are the practical actions that, if taken, would make positive contributions to delivering the priorities agreed with local partners. For example, rotational coppicing of native woodland to provide dormouse habitat or ditch-blocking to re-wet degraded peat to mitigate climate change.

51. Responsible authorities should try to clearly distinguish between priorities (the end results that the strategy is seeking to achieve) and the specific practical actions to achieve those priorities (the ‘potential measures’). However, there is a close relationship between these 2 required elements and responsible authorities may wish to develop them at the same time.

52. The priorities identified by every local nature recovery strategy should reflect local circumstances, including the most important issues to local people and organisations. They should also reflect what contribution the strategy area can make to national environmental objectives, commitments and targets, including those legally binding targets established by the Act. This is so that local nature recovery strategies can work together coherently to recover and enhance biodiversity and improve the natural environment across England.

53. Priorities for recovering or enhancing particular species or habitats to improve biodiversity should be based on the assessment of ‘opportunities’ described at paragraph 44. However, local partners should still be able to suggest additional habitats and species that they consider important at this stage.

54. Examples of wider national environmental objectives that all local nature recovery strategies should seek to contribute to are:

- mitigating climate change (for example, through the potential measure of planting trees)

- improving the water environment (for example, through the potential measure of creating wetlands)
- mitigating flood risk (for example, through the potential measure of restoring degraded upland peat)

55. These examples illustrate the need for wider natural environment objectives to be deliverable, at least in part, through the recovery or enhancement of biodiversity. For many wider priorities this will be straightforward because the use of 'nature-based solutions' to address these issues is increasingly established. When setting priorities, it may be helpful to consider potential measures to avoid priorities that the strategy can do little to address. For example, reducing historic land contamination.

56. Strategy priorities should be the species and habitats that the strategy will focus on supporting, and achievable improvements to the wider natural environment through their conservation and enhancement. But recovering or enhancing biodiversity does not just benefit the natural environment. For example, improving biodiversity can help increase land value or support people's health and wellbeing and access to nature. Whilst these co-benefits are different from the strategy priorities, responsible authorities and local partners can propose action for biodiversity in ways and in places that will achieve them.

57. The government will provide more detailed, up-to-date advice on the specific national environmental objectives which each local nature recovery strategy should contribute to. This will enable the strategies to adapt to evolving national priorities when they are reviewed and republished.

58. Responsible authorities should use the national environmental objectives to guide their strategy's scope and identify locally relevant priorities which align with them where possible. This does not mean that every strategy must contribute to every national environmental objective but responsible authorities may be challenged by local partners to show how national objectives have been considered.

59. Responsible authorities should seek support for their priorities from across the public, private and voluntary sectors to encourage their support for delivering the strategy. To achieve this, the responsible authority should gather possible priorities from existing published plans and strategies, and from engaging directly with locally active organisations and individuals. Responsible authorities should first create a longlist of suggestions. They should then exclude any suggestions that are out of scope before narrowing down to select a shortlist of priorities that the responsible authorities consider critical for the strategy to address. Priorities can include where action within the strategy area could positively affect neighbouring areas. For example, coastal strategy areas could consider how they can benefit neighbouring marine areas.

60. Responsible authorities may find a mix of what could be priorities or potential measures by sifting published documents and contributions from local partners. They may choose to gather both as part of a single exercise, before separating them and matching potential measures with each priority.

61. Responsible authorities should be transparent when deciding which possible priorities to select from the longlist. This involves showing local partners and helping them to understand how they considered their contributions. Decisions should be evidence-

based and lead to a manageable number of agreed priorities for the strategy. These priorities should reflect a balance of suggestions from local partners and support national environmental objectives.

62. When reviewing the strategy, responsible authorities should let partners assess and challenge the published strategy's current priorities. This should include proposing new priorities and potentially removing existing ones. Progress made in delivering the previous priorities will be an important factor in this process.
63. Local partners will have an important role to play in identifying a comprehensive set of potential measures for delivery of the agreed priorities. Responsible authorities should seek contributions from partners with ecological and environmental expertise and practical land management experience. There may be many potential measures to support each priority. For example, actions to restore peat or plant trees will both help mitigate climate change. Or a single potential measure could help achieve more than one priority. For example, creating wetlands can mitigate flood risk and improve water quality.
64. Responsible authorities should set out the potentially complex relationships between priorities and potential measures as clearly as possible. This will enable local partners, including landowners and other decision makers, to understand:
 - why particular potential measures are being proposed
 - how different potential measures can contribute to the same priority
 - how a potential measure can achieve multiple priorities

Doing this transparently increases the chances of the strategy leading to positive practical action. To be persuasive, both priorities and potential measures must be expressed clearly, simply and in an accessible way for the range of people who will use them. Natural England will provide support and advice on how to do this.

65. Responsible authorities should include enough detail in their potential measures so that non-experts can understand their purpose and be able to seek further guidance or instructions (if necessary) to confidently carry them out successfully. However, potential measures should not be detailed instructions on how to implement them.
66. Most potential measures should be ways of enhancing existing habitat and creating new habitats. This is because identifying locations to carry out these sorts of actions is the local nature recovery strategy's main purpose (paragraph 4). To help map out suitable locations, these potential measures should clearly state the habitat type which they relate to, using the same classification system as the local habitat map. Responsible authorities may find it helpful to include a smaller number of potential measures which do not involve creating or improving habitat but which are necessary to achieve a strategy priority.
67. Local nature recovery strategies should be practical, realistic and deliverable documents. So, responsible authorities should avoid including any potential measures that are not likely to be implemented in the foreseeable future.
68. Responsible authorities should engage with local partner organisations to find out what environmental projects are already planned or underway to see if the projects could be

included as potential measures. This allows the local nature recovery strategies to incorporate existing relevant work and to align with other environmental spatial strategies. This will help improve efficiency and achieve better environmental outcomes. Examples of relevant strategies include river basin management plans, local tree and woodland strategies and National Park Management Plans.

69. Responsible authorities should recognise that the benefits provided by some potential measures will depend on precisely how, when and where they are carried out. This will be particularly relevant when creating new habitats, rather than improving existing ones, as whether the potential measure is “biodiversity positive” will depend on what habitat is being replaced. For example, planting trees can make an important contribution to climate change mitigation, but whether it is positive for biodiversity will depend on putting the right tree in the right place.
70. Responsible authorities should take an inclusive approach and include potential measures that can create a positive effect on biodiversity if carried out correctly and in the right place. For example, creation of productive woodland. However, they should make sure the potential measure reflects any uncertainty and consider this in more detail when identifying suitable locations. Responsible authorities may also shape potential measures so that they will deliver non-environmental co-benefits, for example improving public access to green space as well as helping biodiversity.
71. Defra may provide a suggested list of potential measures with standard wording for responsible authorities to use, adapt or create different potential measures. Using consistent wording can help to align local nature recovery strategies with potential funding sources for the delivery of potential measures. This funding is likely to interest landowners and managers and increase the chance of action taking place.
72. When reviewing their strategy, responsible authorities should consider which potential measures have and have not been carried out since the previous published strategy. This should inform an open process of adding, removing or amending potential measures before republishing.

Map areas that could become of particular importance

73. In the final, most important stage of the strategy, responsible authorities need to map areas which they believe ‘could become of particular importance for biodiversity’ or ‘where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits’. These areas are collectively referred to as ‘areas that could become of particular importance’. They are where the responsible authority and local partners propose that effort should be concentrated to restore habitat, to achieve the most for biodiversity and the wider environment.
74. Responsible authorities should decide how to map ‘areas that could become of particular importance’ by looking for locations where potential measures from the statement of biodiversity priorities could be carried out in a way that contributes to the strategy’s priorities. This enables responsible authorities to consider areas of potential importance for biodiversity and nature-based solutions in an integrated way.

75. This mapping should also build on the distribution of existing habitats and the areas of particular importance for biodiversity, which were identified at the first stage of preparing the local habitat map (paragraph 21). This is so that areas that could become of particular importance for biodiversity can be targeted to join up or expand existing areas of particular importance for biodiversity. This can help to establish larger, more resilient networks of high-quality habitat across the landscape. Areas mapped could range in size, from narrow linear features like proposed hedgerow locations, to much larger landscape-scale changes.

76. When considering alternative feasible locations for a potential measure or different feasible potential measures in the same location, responsible authorities should consider:

- which would have the greatest impact on achieving the priorities
- which would achieve greater connectivity of similar biodiverse habitats across the landscape

Where a potential measure could feasibly be done in many locations, responsible authorities should pick ones that would benefit biodiversity or the environment the most.

77. Responsible authorities should be ambitious in proposing change but also realistic in the need to concentrate effort where it will have most benefit. Indiscriminate or widespread mapping of areas that could become of particular importance would not aid targeting of available resources. The proportion of each strategy area mapped for its potential importance will likely vary considerably depending on factors like the extent of existing designations and other constraints on land use.

78. Some responsible authorities may be concerned about leaving 'white space' which is not mapped as being - or could become - of particular importance. To address this, they should include potential measures in their statement of biodiversity priorities that could be used widely across the strategy area. For example, sowing native nectar-rich wildflowers or planting native hedgerows. This enables the strategy to be inclusive and support anyone who wants to help nature recover whilst still being clear about where nature recovery resources should be targeted to achieve the most benefit.

79. Responsible authorities should draw upon other relevant environmental plans, strategies and knowledge held by local partners about where nature conservation activity is already proposed, and where additional action would have most impact. They should identify areas that could become of particular importance for specific potential measures and make it clear which potential measure has been proposed in those areas.

80. Responsible authorities may propose more than one potential measure in the same area. For example, where 2 or more potential measures could be carried out together, or where different potential measures would generate similar levels of benefit. However, if there is a potential measure for which a location is particularly suitable for then this preference should be clearly shown.

81. Responsible authorities may wish to propose potential measures in areas mapped as already being of particular importance for biodiversity (rather than areas that could become of particular importance) to maintain or increase their importance. This may be

helpful for areas such as local wildlife sites which do not have to have management plans.

82. If a responsible authority has Green Belt in their area, they should actively seek to target areas that could become of particular importance inside the Green Belt. This supports the government's intention for Green Belts to provide multiple benefits, including nature recovery and increased public access to nature. Similarly, responsible authorities should also look for areas that could become of particular importance near to people's homes to improve public access to nature, biodiversity, and environmental benefits.
83. Not all actions for nature are compatible with increased public access, as some species are very sensitive to disturbance and some habitats are susceptible to degradation (for example, due to litter or erosion). So not every area that could become of particular importance will necessarily need to consider increasing public access. Defra and Natural England's Green Infrastructure Framework may help identify where there is the least amount of accessible green space.
84. National Parks and Areas of Outstanding Natural Beauty are expected to be particularly suitable places for areas that could become of particular importance to be proposed. This reflects the increasing contribution protected landscapes are making to nature recovery and the opportunity to align with the existing protections these designations offer.
85. Some potential measures would result in replacing one habitat type with another. Responsible authorities should look across the strategy area to consider how different habitat types' coverage might change, to understand the potential effect on its biodiversity and the strategy's priorities.
86. For some potential measures, where and how they are carried out will affect whether they will be 'biodiversity-positive'. Responsible authorities should take an inclusive approach, particularly for potential measures that could create substantial environmental benefits. They should carefully consider potential locations and include further information on how to carry them out to achieve biodiversity recovery or enhancement if necessary.
87. Some changes in land use or management may require a separate consent before they can be undertaken, such as planning permission. Responsible authorities do not need the relevant consents to be in place before including areas that could become of particular importance in their local habitat map. However, they should seek to involve the relevant consenting bodies (for example, local planning authority, Environment Agency, Forestry Commission or Natural England) so they do not propose potential measures in locations that are unlikely to be granted consent.
88. Responsible authorities should listen to landowners and managers' views for land they are considering mapping as areas that could become of particular importance for biodiversity. All draft strategies must go through public consultation. Responsible authorities do not need to engage with all relevant landowners and managers before public consultation but they should invite them to participate.
89. If the responsible authority knows that a landowner opposes a potential measure on their land and is very unlikely to choose to carry it out, it would be better to explore

alternatives or include other more suitable measures before public consultation. This is particularly important if they propose a location due to its potential to join up areas of habitat to create a wider network. If objections from landowners only become clear at public consultation, the responsible authority should try to accommodate their views where this does not undermine the coherence and ambition of the strategy as a whole.

90. Responsible authorities should give specific consideration to defence interests. They should consult with the relevant Head of Establishment before proposing potential measures on or near land managed by the Ministry of Defence to confirm that the potential measures would be consistent with operational needs.
91. Responsible authorities may find certain models and computer software useful to assess how suitable it is to carry out potential measures in different locations. They can also use help to understand how enhancing and creating habitat in different locations can connect to existing areas of habitat across the landscape. Defra may provide software or data analyses to help responsible authorities identify suitable locations. However, it is the responsible authority, working with partners, who should ultimately decide what potential measure to propose in what location. They should use software and models as a guide or a tool, but not rely on them without further consideration.
92. The Secretary of State may identify areas that, in their opinion, could become of particular importance and could also contribute to a national network for nature recovery. If a responsible authority is informed that the Secretary of State has identified such an area within their strategy area, then they should include it in their local habitat map as being somewhere that could become of particular importance.
93. Areas that could become of particular importance are likely to change significantly when responsible authorities are reviewing and republishing their strategies. This is to reflect where action has been taken as well as changing priorities and circumstances. In the republished strategies, responsible authorities can suggest the need for action in the same locations as before, but they should build on what action has been taken, especially in creating greater connectivity between areas.

How to present the strategy

94. Local nature recovery strategies should be practical documents that can be understood by a range of landowners, managers, decision makers and other interested parties. Responsible authorities should make the statement of biodiversity priorities concise and clearly structured, emphasising the priorities and the potential measures to carry these out. They should write and present the statement in plain English. They can provide supporting information with the statement if more detailed is required.
95. The local habitat map should be simple and uncluttered. It should be easy to see those areas that are already of particular importance for biodiversity and those areas that could become of particular importance. It should be straightforward to access basic information about these mapped locations. For example, the name of the national conservation site or the potential measure proposed at an area that could become of particular importance.

96. Responsible authorities should only include other mapped information if it is necessary. They should keep the local habitat map separate and distinct from other maps created for other purposes. This is essential so that bodies required to use the local nature recovery strategy in different ways can clearly understand what they must do. For example, public authorities who are legally required to have regard to relevant strategies.
97. Responsible authorities could use interactive software to enable users to easily find the most interesting or relevant information to them.
98. Each responsible authority must provide their strategy to the government in a format that enables the most important information to be extracted and edited. For example the location and extent of areas of particular importance for biodiversity. This will help the government to compare or pull together information from different strategies.

1 Introduction

1.1 Background

This guidance outlines our interim approach to strategic significance in relation to mandatory Biodiversity Net Gain (BNG) within Westmorland and Furness Council's jurisdiction as a Local Planning Authority (LPA).

1.2 Area where this guidance applies

This guidance applies only within the area where Westmorland and Furness acts as the LPA. This is broadly described as the Westmorland and Furness unitary authority area minus the areas covered by the Lake District National Park and Yorkshire Dales National Park (Figure 1); both national parks have their own planning authorities.

1.3 Aim of the guidance

The guidance aims to assist planning applicants and BNG unit providers in completing the 'strategic significance' within all three modules of the Statutory Biodiversity Metric. The modules comprise area habitats, hedgerows and watercourses.

The guidance has been written with reference to the [Statutory Biodiversity Metric User Guide](#); the guidance will be updated as required when new versions of the Statutory Metric are published.

1.4 Layout of the guidance

Section 2 of the guidance covers strategic significance. A further section on spatial risk may be added at a later date. In the interim, users should refer to the Statutory Biodiversity Metric User Guide.

The guidance is deliberately as succinct as possible so as not to distract from its purpose. For example, it does not go into detail about the rules and principles of the metric, how to fill in the metric or how to interpret the results of the metric; the reader should refer to current version of the metric user guide for this information.

Where relevant, web links have been provided to external documents that can be accessed for further information.

2 Strategic Significance

2.1 Metric definition

The Biodiversity Metric User Guide defines strategic significance as: “*the local significance of the habitat based on its location and habitat type*”.

The Biodiversity Metric User Guide identifies that:

“Where a Local Nature Recovery Strategy (LNRS) has been published, you should use the relevant published LNRS and the descriptions set out in table 7 to assign strategic significance. [...] If an LNRS has not yet been published, a relevant planning authority should specify alternative documents for assigning strategic significance whilst an LNRS is put in place.”

2.2 Local Nature Recovery Strategy

Cumbria does not currently have a published LNRS, however the county was selected by the Department for Environment Food and Rural Affairs (DEFRA) to be one of five pilot areas for LNRSs, which took place between August 2020 and September 2021. The pilot was intended to test the LNRS concept and processes, with the lessons learnt carried forward into the national roll out of LNRSs which took place in June 2023. Westmorland and Furness are the Responsible Authority (RA) for the Cumbria LNRS, which is currently in production and is likely to be published in early 2025.

The LNRS pilot led to the development of the [Cumbria Local Nature Recovery Network \(CLNRN\)](#). This includes the CLNRN interactive map, which identifies specific areas, zones or networks where we should aim to take action for nature. The CLNRN map is considered to be the current best and most coherent strategy with regards to prioritising nature recovery and will form the basis of the future LNRS; in conjunction with this guidance document, it will be used to determine strategic significance in Westmorland and Furness until the LNRS is published.

2.3 Strategic significance in Westmorland and Furness

2.3.1 Area Habitats and Hedgerows

Strategic significance must be determined using the CLNRN map in conjunction with this guidance document; no other plans, policies or strategies should be used. Guidance on how to use the CLNRN interactive map is given in section 3.

Table 1 sets out how the strategic significance categories within the Statutory Biodiversity Metric should be attributed for area and hedgerow habitats in Westmorland and Furness. **The guidance applies to all on-site and off-site tabs (i.e. baseline/habitat enhancement/habitat creation) within the metric.** For example, if a priority habitat that is part of the CLNRN, is recorded within the on-site or off-site baseline for a site then its strategic significance must also be recorded as high within the metric. The guidance should be treated as interim and will be updated once the final LNRS is published.



Table 1 Interim definition of strategic significance for area and hedgerow habitats in Westmorland and Furness

Strategic significance category	Score applied in the metric	Definition in Westmorland and Furness
High	1.15	This category can only be applied when the habitat in question is a priority habitat and is within the coverage of the LNRN for that priority habitat (see Table 2). The relevant layers of the CLNRN map are: <ul style="list-style-type: none"> ▪ Primary Habitat; ▪ Associated Habitat; ▪ Habitat Restoration – Creation; ▪ Restorable Habitat; ▪ Fragmentation Action Zone; and ▪ Network Enhancement Zone 1.
Medium¹	1.10	This can only be applied when the habitat in question is a priority habitat and is outside the coverage of the LNRN for that priority habitat (see Table 2) or is a priority habitat for which no LNRN has been defined (see Table 2).
Low	1	All habitat parcels that cannot be assigned to high or medium strategic significance should remain as the default category of low.

Priority habitats are [habitat of principal importance in England](#) as defined under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended). A list of priority habitats with significant areas in Cumbria is presented in Table 2. Many priority habitats have an equivalent layer group in the CLNRN map; the table also shows which category should be used where there is no equivalent layer.

Table 2 Priority area and hedgerow habitats in Cumbria and the corresponding CLNRN layer group used to determine strategic significance

CLNRN layer group used to determine strategic significance	Priority Habitat
Blanket bog LNRN	Blanket bog
Coastal habitats combined LNRN	Coastal and floodplain grazing marsh
	Coastal saltmarsh
	Coastal sand dunes
	Coastal vegetated shingle
Hay meadows combined LNRN	Lowland meadows

¹ The Medium category does not apply when using the Small Sites Metric (SSM). However, due to their status as priority habitats, the presence of any on-site habitats classified as High or Medium strategic significance under this guidance will likely trigger use of the Statutory Metric instead of the SSM.



CLNRN layer group used to determine strategic significance	Priority Habitat
	Upland hay meadows
Lakes	Eutrophic standing waters
	Mesotrophic lakes
	Oligotrophic and dystrophic lakes
	Ponds
Limestone pavements LNRN	Limestone pavements
Lowland calcareous grassland LNRN	Lowland calcareous grassland
Lowland dry acid grassland LNRN	Lowland dry acid grassland
Lowland fens LNRN	Lowland fens
Lowland heathland LNRN	Lowland heathland
Lowland raised bog LNRN	Lowland raised bog
Purple moor-grass and rush pastures LNRN	Purple moor-grass and rush pastures
Reedbeds LNRN	Reedbeds
Traditional orchards LNRN	Traditional orchards
Upland calcareous grassland LNRN	Upland calcareous grassland
Upland fens, flushes and swamps LNRN	Upland flushes, fens and swamps
Upland heathland LNRN	Upland heathland
Woodland LNRN	Lowland beech and yew woodland
	Lowland mixed deciduous woodland
	Upland mixed ashwoods
	Upland oakwood
	Wet woodland
Wood pasture and parkland LNRN	Wood pasture and parkland
	Arable field margins
Unassigned (all to be treated as medium strategic significance as there is no corresponding CLNRN layer)	Calaminarian grasslands
	Hedgerows
	Inland rock outcrop and scree habitats
	Intertidal habitats (all priority types)
	Maritime cliff and slopes
	Mountain heaths and willow scrub
	Mud habitats in deep water



CLNRN layer group used to determine strategic significance	Priority Habitat
	Open mosaic habitats on previously developed land
	Sabellaria alveolata reefs
	Saline lagoons

2.3.2 Watercourses

The watercourse unit module within the Statutory Biodiversity Metric is designed to be applied to the features set out in Table 3.

Table 3 Watercourse descriptions based on the Statutory Biodiversity Metric User Guide, with mapping resources where available

Watercourse type	Metric User Guide watercourse definition	Metric distinctiveness
Priority rivers	Highly naturally functioning stretches of rivers identified on the Priority River Habitat Map, and un-mapped stretches meeting the criteria for inclusion on the Priority River Habitat Map. <ul style="list-style-type: none"> ▪ Priority River Habitat Map ▪ Criteria for inclusion 	Very high
Other rivers and streams	Rivers and streams that are not classified as Priority River Habitat. <ul style="list-style-type: none"> ▪ Statutory Main River Map ▪ Ordinary Watercourses 	High
Canals	An artificial body of water originally created for the purposes of navigation, whether it is currently navigable or not. Sections of canalised rivers meeting this definition should be recorded as this habitat type. <ul style="list-style-type: none"> ▪ Canal and River Network 	Medium
Ditches	Artificially created linear water-conveyancing features which are less than 5m wide, and are likely to retain water for more than 4 months of the year. Record as a ditch only where the watercourse does not meet the definition of a higher distinctiveness watercourse or canal.	Medium
Culverts	A covered channel or pipe designed to prevent the obstruction of a watercourse or drainage path by an artificial construction. As defined by the Flood and Water Management Act 2010 . Record culverted sections of any watercourse type as 'culvert'. A site visit may be required to identify extent of culverting.	Low

Guidance within the Statutory Biodiversity Metric User Guide should be followed when recording ditches within floodplain wetland mosaic and coastal and floodplain grazing marsh and watercourses associated



with hedgerows and lines of trees. In both these cases, if these meet the definition of a watercourse, they should be recorded in the watercourse module.

No CLNRN map was developed for watercourses as part of the Cumbria LNRS pilot. Therefore, a different approach to determining strategic significance is required for watercourses than for area and hedgerow habitats. As rivers are continuous features within the landscape and because all parts of a river system are important for providing ecological connectivity, a broad approach to apportioning strategic significance, based on habitat distinctiveness has been taken. This is considered appropriate given that this document constitutes interim guidance on strategic significance. All watercourses in Cumbria will be considered in detail as part of the LNRS and opportunities for enhancement and restoration identified. Once the LNRS has been published this guidance will be updated.

Table 4 sets out how the strategic significance categories within the Statutory Biodiversity Metric should be attributed for watercourses in Westmorland and Furness. **The guidance applies to all on-site and off-site tabs (i.e. baseline/habitat enhancement/habitat creation) within the metric.** For example, if a watercourse is recorded within the on-site or off-site baseline for a site then its strategic significance must also be recorded in accordance with Table 4.

Table 4 Interim definition of strategic significance for watercourses in Westmorland and Furness

Strategic significance category	Score applied in the metric	Definition in Westmorland and Furness
High	1.15	This can only be applied to: <ul style="list-style-type: none"> ▪ Priority rivers; ▪ Main rivers; and ▪ Ordinary watercourses.
Medium ²	1.10	This can only be applied to: <ul style="list-style-type: none"> ▪ Canals; or ▪ Ditches only if an acceptable justification, based on the location and quality of the habitat, is produced by a suitably experienced ecologist.
Low	1	Any ditch unless there is adequate ecological judgement as to why a these should be upgraded (this should be agreed with the LPA). Culverts should also be considered as low strategic significance.

2.4 Strategic Significance Outside of Westmorland and Furness

Where applicants need to assess the strategic significance of land outside of Westmorland and Furness, for example when assessing off-site compensation, they must refer to appropriate guidance for that area,

²Only medium and low distinctiveness watercourses feature in the Small Sites Metric (SSM). However, the presence of any on-site habitats classified as High distinctiveness will likely trigger use of the Statutory Metric instead of the SSM.

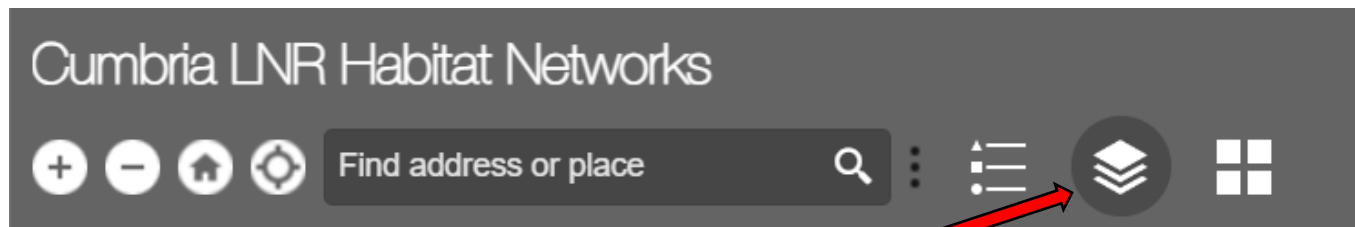


especially that which may have been produced by the responsible LPA. The guidance used to determine strategic significance should be clearly referred to in the biodiversity gain plan or other supporting information.

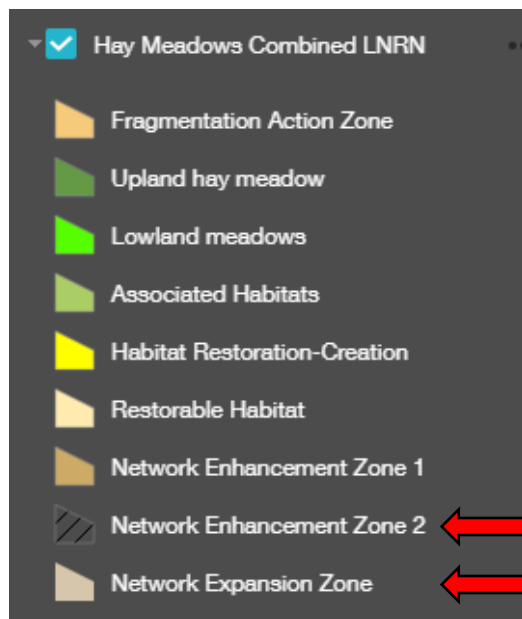
3 Using the Mapping Resources

3.1 Using the CLNRN Map

- The CLNRN map is hosted by Cumbria Biodiversity Data Centre (CBDC) here: [Cumbria LNR Network Map](#)



- From the zoomed-out view choose the layer list icon
- Choose the LNRN layer that corresponds with the parcel of priority habitat on your development or compensation site.
- Find your development or compensation site using the map view.
- Expand the layers list and check if any of those listed in Table 1 intersect your habitat parcel (see example below for meadows)



Layers **excluded** from assessment of strategic significance (Table 1). The layers cannot be turned off but their coverage should be interpreted by using the legend to the left of the layer.

- Note that in some cases (e.g. Hay Meadows Combined LNRN), where the layer group includes more than one priority habitat, these will have individual named layers (in this case 'Upland hay meadow' and 'Lowland meadows') instead of a single layer named 'Primary habitat'.
- Where appropriate layers intersect the habitat parcel then the extent of the parcel intersected can be assessed as having high strategic significance.

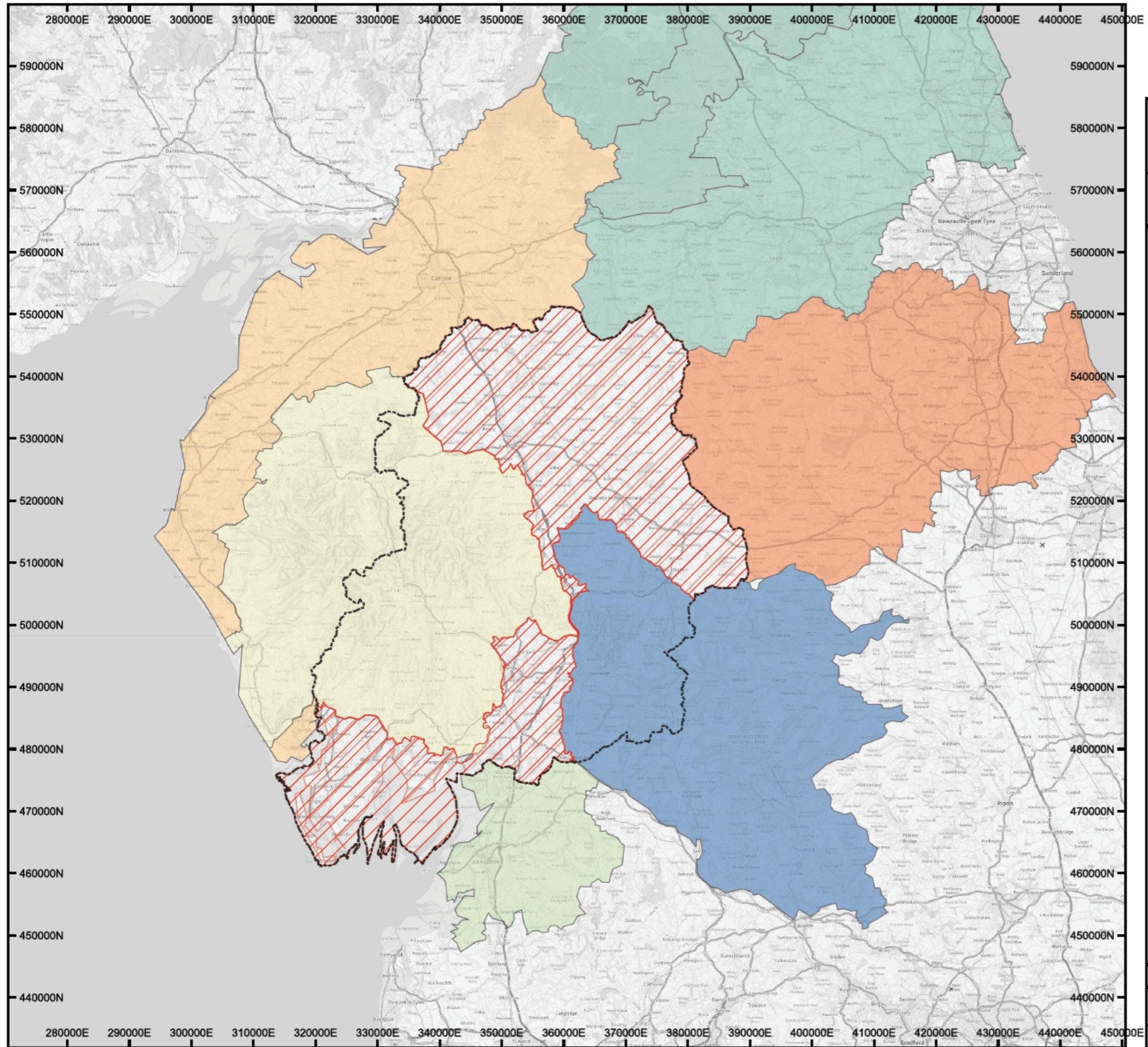
3.2 Using the Catchment Data Explorer

- The catchment data explorer is hosted by Defra: [England | Catchment Data Explorer](#)
- To find operational catchment boundaries: from the homepage choose the River Basin District (for River Eden this is Solway Tweed) > choose the management catchment (for River Eden this is Eden and Esk) > use the map to find your operational catchment.
- To find waterbody catchment boundaries: from the operational catchment page choose your operational catchment > use the map to find your waterbody catchment.



Figures

Figure No.	Title
Figure 1	Westmorland and Furness LPA and Neighbouring LPAs



Biodiversity Net Gain Guidance Note - Appendix 1				
Westmorland & Furness Council	Figure 1 - Westmorland and Furness LPA and Neighbouring LPAs			
KEY [Dashed line] Westmorland & Furness Unitary Authority Boundary Local Planning Authorities [Red hatched] Westmorland and Furness LPA [Orange] County Durham LPA [Light Orange] Cumberland LPA [Yellow] Lake District LPA [Light Green] Lancaster LPA [Green] Northumberland LPA [Blue] Yorkshire Dales LPA				
0 10,000 20,000 m  				
SHEET: A3	SCALE: 1:600,000	BY: AB	QA: ML	REV 2.0
Projection: OSGB 1936/British National Grid - EPSG 27700			02/11/2023	

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Full Equality Impact Assessment (EqIA) Proforma

An EqIA is a tool to assess whether a decision, policy, service or function pays 'due regard' to the Public Sector Equality Duty, which requires public bodies to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations

The Equality Duty covers the following 9 **protected characteristics**:

Age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex, sexual orientation, marriage and civil partnership. In addition, this EqIA process includes **care experience, rurality, socio-economic status and armed forces personnel/veterans.**

The EqIA process has two stages:

- **Screening EqIA:** This checks whether a decision, policy, service or function pays due regard to the Equality Duty; to provide any high-level advice or take immediate action; to determine if further analysis is needed through an EqIA.
- **Full EqIA:** Sometimes called Equality Analysis, this looks at a decision, policy, service or function in terms of data and information, research and evidence from consultation/engagement on all nine protected characteristics and rurality and socio-economic status. A full EqIA includes an action plan.

Where an EqIA relates to the Council Member Decision it should be included as an appendix to the report.

Section 1: About the Decision, Policy, Service or Function

Name of Decision/Policy/Service/Function being assessed	Local Nature Recovery Strategy and Biodiversity Net Gain - Communities and Environment Overview and Scrutiny Committee
Job Title of Officer completing EIA	Strategic Lead Local Nature Recovery Strategy
Department/service area	Climate and Natural Environment Team, Thriving Places
Telephone number and email contact	nicola.jordan@westmorlandandfurness.gov.uk
Date of Assessment	23/04/2024
Objectives of decision/policy/service/function	To ensure that BNG and the LNRS are developed together to maximise opportunities for and benefits from nature recovery in Westmorland and Furness and across Cumbria.
Key stakeholders and consultees	LNRS Supporting Authorities, other statutory bodies, NGOs, developers, charities, landowners and the public.

Section 2: Information Gathering

Consider the sources of **relevant** information, evidence, data and research that will help you build up a picture of the likely impacts of your decision/policy/service/function on the protected characteristic groups.

Information Source	Location of data/information (give a link here if applicable)	What does the data/information tell us?
Environment Act 2021	Environment Act 2021 (legislation.gov.uk)	Overarching legislation that underpins BNG and LNRS
Local Nature Recovery Strategies	Local nature recovery strategies - GOV.UK (www.gov.uk)	Overview of the LNRS and links to statutory guidance
Defra Guidance on Biodiversity Net Gain	https://www.gov.uk/government/collections/biodiversity-net-gain	Information for local authorities and developers on biodiversity net gain.
GOV.UK	Complying with the biodiversity duty - GOV.UK (www.gov.uk)	Complying with the biodiversity duty.
Defra policy paper on Nutrient Neutrality	Nutrient pollution: reducing the impact on protected sites (www.gov.uk)	Supporting information on NN and how it aligns with environmental targets.

Section 3: Assessment of Impact

From the information, evidence, data and research you have gathered, use this section to identify the risks and benefits for each of the different protected characteristic groups.

Equality group	Positive (tick)	Adverse (tick)	Neutral (tick)	What is the impact?	Mitigating actions proposed (to address adverse impact)
Age	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Disability	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Sex	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Gender reassignment	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Marital and civil partnership status	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Pregnancy and maternity	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Race	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	

Equality group	Positive (tick)	Adverse (tick)	Neutral (tick)	What is the impact?	Mitigating actions proposed (to address adverse impact)
Religion and/or belief	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Sexual orientation	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Care Experience	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
People in rural areas	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Socio-economic status	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	
Armed Forces Personnel/Vetrans	Y			Positive as improving the natural environment in W&F which has health and wellbeing benefits to all.	

Section 4: Action Planning

What is the negative/ adverse impact or area for further action?	Actions proposed to reduce/ eliminate the negative impact	Who will lead on the action(s)?	Resource implications/ resources required	When? (target completion date)	Monitoring Arrangements
None					

Section 5. Outcome of Equality Impact Assessment (tick appropriate box)

No major change needed - the analysis shows the policy is robust and evidence shows no potential for discrimination

Adjust the policy/service/function - alternatives have been considered and steps taken to remove barriers or to better advance equality. Complete the action plan.

Adverse impact(s) identified but continue - this will need a justification or reason. Complete the action plan.

Y

Section 6. Review

Date of the next review of the Equality Impact Assessment	August O&S Committee will review LNRS/BNG
Who will carry out this review?	Climate and Natural Environment Team

Glossary: Definitions of Protected Characteristics

Age: This refers to a person having a particular age or being within an age group.

Disability: A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Includes: Physical/sensory disability; Mental Health; Learning disability.

Sex: This refers to a person being either male or female.

Gender reassignment: This is the process of transitioning from one sex to another, considered a personal process rather than a medical one and it does not require someone to undergo medical treatment in order to be protected.

Marital and civil partnership: Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters.

Maternity: The period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

Race: It refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins. Includes, Asian, Black and White minority ethnic groups inc. Eastern Europeans, Irish people and Gypsy Travellers.

Religion or belief: "Religion" means any religion, including a reference to a lack of religion. "Belief" includes religious and philosophical beliefs including lack of belief (for example, Atheism). The category includes, Christianity, Islam, Judaism, Hinduism, Buddhism, and non-religious beliefs such as Humanism.

Sexual orientation: This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Transgender: Anyone whose gender identity is neither male nor female as legally defined at birth, and is not undergoing a process of gender resignation.

Rurality: Differential impact on people in rural areas

Socio-economic status: Differential impact on people due to household or personal income.

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Report Title	Councils approach to Harmonisation, Upgrading and Futureproofing of Lighting Stock
Meeting	Communities and Environment Scrutiny Committee
Meeting Date	23 rd April 2024
Report Author	Phil Greenup – Assistant Director Sustainable Transport & Highways
Lead Cabinet Member(s)	Peter Thornton – Cabinet Member for Highways & Assets
Wards Affected	All
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	N/A

1. Executive Summary

- 1.1 The purpose of this report is to provide an update on the council's approach to harmonising all lighting assets across Westmorland and Furness into one all-encompassing lighting policy.
- 1.2 There are currently four lighting policies across W&F.
- 1.2.1 Former Eden District (Footway Lighting Policy)
 - 1.2.2 Former South Lakeland District (Footway Lighting Policy)
 - 1.2.3 Former Barrow Borough Council (Footway Lighting Policy)
 - 1.2.4 Former Cumbria County Council (Road Lighting Policy)

2. Recommendations

For the reasons set out in this report, Communities and Environment Scrutiny Committee is recommended to:

- 2.1 note and comment on the development of a Westmorland and Furness Highways and Local Lighting Policy and provide input into the key principles of the approach.

3. Information: Rationale & Evidence for the Recommendations

- 3.1 **Highways Act 1980** - In England and Wales, the Highways Act 1980 empowers a Highway Authority to provide lighting for any highway or proposed highway for which they are, or will be, the Highway Authority. District Councils and many Parish or Town Councils also have the power to provide lighting as local lighting authorities these powers being conferred by the Public Health Act 1985, or the Parish Councils Act 1957. Where such Councils wish to provide lighting on a highway, the consent of the Highway Authority is required.

- 3.2 **Well-Managed Highways Infrastructure: A Code of Practice – D.2.1.1** - There is no statutory requirement on local authorities in the United Kingdom to provide public lighting. The intention of this Code is that Authorities will develop their own levels of service and the Code, therefore, provides guidance for authorities to consider when developing their approach in accordance with local needs, priorities and affordability.
- 3.3 **Well-Managed Highways Infrastructure: A Code of Practice – D.2.2.5** - Highway Authorities have a duty of care to the road user. Any loss to an individual as a consequence of the inappropriate use of these powers may result in action being taken to recover the loss. Such action could be taken on several grounds:
- negligent exercise of power (including failure to use that power). There is no blanket immunity.
 - action for misfeasance of public office
 - breach of the common law duty of care (if it can be established).
- 3.4 **Well-Managed Highways Infrastructure: A Code of Practice – D.2.2.6** - NOTE: This duty of care does not imply any duty on the Highway Authority to keep the public lighting lit. However, an authority responsible for the maintenance of public lighting should be able to demonstrate that they have systems in place to maintain the public lighting equipment in a safe condition, including the detection of dangerous equipment.
- 3.5 **Light Pollution** – Growing at an alarming rate at around 2% each year which is higher than population growth. Further research has suggested this rate may be as high as 10%. Excessive lighting can affect the night cycle of people, animals and plants having an impact on human wellbeing and ecological systems.
- 3.5.1 **Sky Glow** - This is the brightening of the night sky which can be seen emanating from the horizon, originating mostly in built-up areas. It is caused by badly directed light sent above the horizontal and scattered by aerosols and particles in the air. It can also be reflecting from surfaces. Light that travels near the horizontal is the most damaging as it travels furthest through the lower, denser atmosphere. This can be avoided by ensuring that lights are directed downwards where the light is needed.
- 3.5.2 **Glare** - This is the uncomfortable brightness of a light source when viewed against a contrasting darker background. In less densely populated rural areas, glare will seem relatively more intense than in urban areas. This is particularly noticeable when looking from raised viewpoints into the darker landscape below.
- 3.5.3 **Light Intrusion** - Involves light spilling beyond the property or area being lit. Although this pollution generally relates to windows and intrusion into private property, the term 'light intrusion' also applies to natural habitats and areas of high species interest.

- 3.6 **Energy** - In order to command competitive rates the Council is committed to procuring street lighting energy through the Yorkshire Purchasing Organisation's consortium. However the prediction is that, in part as a result of the Electricity Market and global economy energy prices still remain volatile. A single approach in energy procurement and improved efficiencies may realise potential savings.
- 3.7 **Non-Destructive Testing Findings:** Since 2021 the lighting team moved to a proactive maintenance programme in replacing life expired columns. This is known as GN22 which is a guidance note issued by the Institute of Lighting Professionals. GN22 is a risk management toolkit which provides guidance on visual inspections of minor structures. Upto December 2022; 4,454 assets have been inspected.
- 3.7.1 432 columns rated as Fair (Moderate Risk to Public Safety – schedule replacement within 2-3 years)
- 3.7.2 342 columns rated as Poor (High Risk to Public Safety – schedule imminent replacement)
- 3.7.3 No GN22 data has been gathered for any former district lighting stock. It is anticipated the majority of this stock will fall into the Poor category.

3.8 District Lighting and Parish Lighting Overview

Area	District Lighting	Parish Lighting
Eden	712*	535
South Lakeland	583	240
Barrow	440	0

(*) 712 units not adopted or transferred onto a Parish Council. Under Eden District Lighting Policy once these units fail, they will not be replaced but programmed to be disconnected and removed. Currently 294 units have been removed.

- 3.8.1 Using current procedures, energy procurement and maintenance routines it is anticipated the annual cost of each transferred light would be £138.29 per unit.
4. **Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)**
- 4.1 **People** – Single policy-based approach to all systems of lighting within Westmorland and Furness. Greater customer experience when raising defects as faults or enquiries will not be passed between different Council departments depending on the system of lighting it relates to.

- 4.2 **Climate** – Greater control on specifying lighting equipment. This will result in less carbon footprint and have a positive impact on the environment, ecology and dark skies.
- 4.3 **Communities** – To have a community led approach on the type of lighting system to deploy, the policy would have the flexibility to install lighting to a footway lighting standard for communities in a rural setting where lighting is best kept to a minimum to avoid unnecessary light pollution. Street lighting not only improves safety for drivers, riders, and pedestrians, where driving at night is more dangerous, but reduces crime and fear of crime, in our urban areas. The continuing investment in street lighting alongside the development of a lighting policy and collaboration with other partners and agencies will also support improvements in community safety. Consideration needs to be given to the lighting of street furniture such as illuminated bollards and signage.
- 4.4 **Economy and Culture** – Improved lighting specifications and materials will enhance the quality of light allowing more foot fall for the night-time economy. Ability to easily swap out equipment with new technology which could enhance current events like “Big Switch Off” in Ambleside. This event is a big attraction for meteorologists which also boosts the local economy. A Christmas Lighting programme to support the testing, replacing, installation, and maintenance of seasonal lighting every year.

5. Consultation Outcomes

- 5.1 Letter sent to all Parish Council on or around 20th February ‘24

“Dear Sir/Madam,

I am contacting you to confirm that Westmorland and Furness Council are currently in the process of reviewing our existing policies relating to Street Lighting including footway lighting with a view to having a single authority wide policy approach to how we manage and maintain street lighting.

On this basis we would be very keen to hear and understand any issues that you may currently have with the ongoing maintenance of street lighting including footway lighting in your parish.

It is our intention to consult and discuss any matters you have as we progress with the development of this new policy, and we will be arranging further meetings to discuss this with yourselves.

If there are any issues you would like to raise please email our Lighting Manager, Scott McLauchlan on scott.mclauchlan@westmorlandandfurness.gov.uk

- 5.2 Currently no communication has been received from any Parish Clerks

6. Alternative Options Considered

- 6.1 Members may agree the recommendations.
- 6.2 Members may suggest changes to the recommendations.

- 6.3 Continue working with various different policies across all former district areas.
 - 6.3.1 This method is currently causing confusion to local members and the public due to the different systems of lighting which have been installed. This results in enquiries being passed onto the relevant team to resolve.
 - 6.3.2 Due to the different political decisions taken at the time in drafting district policies, some parishes in “District A” may feel decisions have left them at a disadvantage to other parishes within “District B”.

7. Reasons for the Recommendations

- 7.1 A new Highways and Local Lighting Policy would reflect the amalgamation of the previous councils to form a Unitary Council and provide clarity for all members, officers and the public in terms of asset ownership.
- 7.2 Continued improvements to limiting light pollution by using appropriate lighting in the appropriate location. Limiting lighting pollution has positive benefits on the night cycle of people, animals and plants, this increases human wellbeing and supporting ecological systems to thrive.
- 7.3 In order to realise additional savings and improve efficiencies the Highways and Local Lighting Policy needs to enable a more dynamic approach to lighting incorporating new guidance, technology and innovation.
 - 7.3.1 Continued use of LEDs with warmer colour temperature as standard light source - the benefits of LED lighting are well publicised and it has become the standard light source for street lighting due to their reliability and low energy consumption. In general for every street light which is converted to LED there would be a resulting 50% energy saving.
 - 7.3.2 Continued use of dimming – through the assessment of each location we will be able to determine, through reduction in traffic flows etc, where it would be possible to reduce the light output at appropriate times. In general we will reduce light output to 50% where the required lighting levels can still be maintained. Dimming would provide an additional 10% energy saving for every LED light.
 - 7.3.3 Continued use of part-night Switch Off – where local conditions permit, or there is an express desire from residents we will consider switching off the lights between the hours of midnight and 5.00am. This option would be subject to consultation, safety and equality assessments. Where lights are subject to part night operation this can result, in conjunction with LED conversion, in energy savings of 75%. Part night switch off would not be considered in locations where there are predominantly vulnerable people or adjacent hospitals and emergency services establishments.

7.3.4 Introduction of full Switch Off – consideration would be given to removing life expired street lighting where there is assessed to be no further need for street lighting provision. This option would be subject to consultation, safety and equality assessments and a trial (12 months) switch off period.

7.3.5 Potential expansion of the Central Management System – to utilise all recommendations given above. Dimming regimes or switch offs can be managed and monitored through the internet which results in instance savings or reactions to local events or emergencies. Also allows the integration of “highway function” equipment such as road temperatures, traffic counts or environmental monitoring such as water and air quality sensors.

7.4 A revised policy, in conjunction with new service procedures will enable the Council to migrate from a predominantly reactive maintenance regime to an efficient targeted proactive maintenance regime.

8. Climate and Biodiversity Implications

8.1 There are no climate and biodiversity implications at this time however these will be considered when appropriate.

9. Legal and Governance Implications

9.1 Pursuant to its Terms of Reference, the Committee has overview and scrutiny of all the powers and duties of the Council relating to the environment, safer/stronger and inclusive communities and planning, highways, transport and economic regeneration.

9.2 There is no statutory requirement for a Highway Authority to illuminate the highway although section 97 (1) (a) says that a highway authority may provide lighting for the purposes of any highway or proposed highway for which they are or will be the highway authority. Under section 17 of the Crime and Disorder Act the Council has a statutory requirement to take all reasonable measures to prevent crime and disorder. Risk Management: The Authority has a duty of care and should ensure new lighting is provided in compliance with BS5489 (EN13201-1) whilst ensuring that existing lighting is maintained according with our duties under the Section 41 of the Highways Act.

9.3 Advice will be provided in relation to any arising legal and governance implications. Any arising procurement(s) and contract(s) further to the proposed policy will need to be undertaken in accordance with the Council’s Contract Procedure Rules in the Constitution. (JK 15.04.24)

10. Human Resources Health Wellbeing and Safety Implications

- 10.1 The Council has a responsibility under the Health & Safety at Work Act 1974 and associated Management of Health & Safety at Work Regulations to ensure as far as is reasonably practicable that there are arrangements in place to ensure a healthy and safe working environment for all service for which it has responsibility.
- 10.2 There are no direct Human Resources implications arising from this report.

11. Financial Implications

- 11. There are no direct financial implications of the recommendation contained within this report.

12. Equality and Diversity Implications (please ensure these are compliant with the EiA Guidance)

- 12.1 There are no equality and diversity implications at this time however these will be considered in planning service delivery.

13. Background Information & Sources

- 13.1 N/A

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Westmorland
& Furness
Council

Appendix 1

Councils approach to Harmonisation, Upgrading and Futureproofing of Lighting Stock

Communities and Environment Scrutiny Committee

Tuesday 23rd April 2024

westmorlandandfurness.gov.uk



Former District Footway Lighting Arrangements and Policies

Eden District

- Currently have a footway lighting policy which transferred lighting units into parish ownership
- Any lighting which falls outside this category is classed as unadopted.
 - Once unit fails it will be removed and disconnected from ENWL network.
 - Parishes pressured to except footway lighting or be faced with no lighting at all in the future.
 - Causes numerous complaints from customers asking why some units are not getting repaired.
 - Currently have an ongoing maintenance contract with Urbaser

Area	District Lighting	Parish Lighting
Eden	712*	535

(*) 712 units not adopted or transferred onto a Parish Council. Under Eden District Lighting Policy once these units fail, they will not be replaced but programmed to be disconnected and removed. Currently 294 units have been removed.



Former District Footway Lighting Arrangements and Policies

South Lakeland District

- No known issues with this stock.
- Previously had an understanding with former Cumbria County Council Lighting Team to undertake maintenance. This work was recharged.
- Good inventory and location data with minimal disputes on ownership.
- Maintenance activities are now undertaken by Westmorland and Furness Lighting Team

Area	District Lighting	Parish Lighting
South Lakeland	583	240



Former District Footway Lighting Arrangements and Policies

Barrow Borough Council

- Previously only owned lighting on footpaths with limited access
- Limited inventory with numerous disputes with unit ownership with former Cumbria County Council Lighting Team.
- No evidence or knowledge from former staff members if energy for lighting has ever been paid.
- Current maintenance contract with Optech.

Area	District Lighting	Parish Lighting
Barrow	440	0



Former District Footway Lighting Arrangements and Policies

Overall

- Each district has had similar issues with asset ownership, leading to confusion and lack of action on faulty lighting
- Standard of stock is known to be poor as no maintenance intervention has occurred for numerous years
- Lack of substantial investment within footway lighting stock.
- Numerous departments within W&F are still acting as the footway asset owner
 - Causes confusion as different fault reporting systems are still being used – not all staff have access

Area	District Lighting	Parish Lighting
Eden	712*	535
South Lakeland	583	240
Barrow	440	0

(*) 712 units not adopted or transferred onto a Parish Council. Under Eden District Lighting Policy once these units fail, they will not be replaced but programmed to be disconnected and removed. Currently 294 units have been removed.



Report Title	Bus Service Improvement Plan (BSIP) Update
Meeting	Communities & Environment Scrutiny Committee
Meeting Date	23 April 2024
Report Author	Phil Greenup – Assistant Director Sustainable Transport & Highways
Lead Cabinet Member(s)	Neil Hughes
Wards Affected	All
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	Appendix 1 – BSIP Presentation

1. Executive Summary

- 1.1 On 24 July 2023 the Council received confirmation of a Bus Service Improvement Plan Plus (BSIP+) funding allocation, a payment of £412,130 for 2023/24. The same amount due for 24/25. A further £1,289,000 of revenue funding was then allocated from the DFT to support delivery of the 24/25 BSIP.
- 1.2 The funding is intended to target the actions that the Council and local operators believe will deliver the best overall outcomes in growing long term patronage, revenues and maintaining service levels whilst maintaining essential social and economic connectivity for local communities. In addition, the grant can be used to ensure existing connections are maintained, increasing the frequency on key corridors or the operating hours of some services whilst reducing others or reducing fares or introducing new local concessions to open new markets and revenue.
- 1.3 This report provides members with an update on the Council's approach to the Bus Service Improvement Plan (BSIP+) to date, and an overview of proposed bus routes. The BSIP Stakeholder engagement process will end on 30th April 2024.

2. Recommendations

For the reasons set out in this report, Communities & Environment Scrutiny Committee is recommended to:

- 2.1 Note the information and presentation provided.

3. Information: the Rationale & Evidence for the Recommendations

- 3.1 The attached presentation outlines the stakeholder consultation process which has taken place in relation to the Bus Service Improvement Plan. Information includes the Stakeholder Engagement Process, Policy Changes, Budget Information, and proposed routes to date.

4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)

- 4.1 we care about you and listening to you, we will put you at the heart of everything we do.
- 4.2 customers and communities' needs are at the heart of designing our services, with customers able to access services and information easily using a channel of their choice.
- 4.3 Supporting active, healthy happy lives for young and old. • Supporting people in need and reducing inequality. • Providing leadership in the drive to become carbon net zero. • Confident, empowered, resilient communities. • Sustainable, inclusive, economic growth

5. Consultation Outcomes

The BSIP consultation will conclude on 30th April 2024.

6. Alternative Options Considered

Not applicable

7. Reasons for the Recommendations

- 7.1 Not applicable

8. Climate and Biodiversity Implications

- 8.1 The use of public transportation is known to reduce O2 emissions and pollutants in the atmosphere therefore improving air quality.

9. Legal and Governance Implications

- 9.1 Under Part 2 Section 5 Constitution (7.7.4) the Terms of Reference for the Communities and Environment O&S Committee include overview and scrutiny of powers and duties relating to transport and highways.
- 9.2 The report is to note only and there are no specific legal implications arising.
- 9.3 Legal advice was provided in relation to the 'Bus Service Improvement Plan and Bus Support Funding' report to Highways and Transport Strategic Board (03 October 2023) and is set out in that report ([Highways and Transport Strategic Board 031023 - Bus Service Improvement Plan and Bus Support Funding.pdf \(modern.gov.co.uk\)](#)). (JK)

10. Human Resources Health Wellbeing and Safety Implications

- 10.1 The Council has a responsibility under the Health & Safety at Work Act 1974 and associated Management of Health & Safety at Work Regulations to ensure as far as is reasonably practicable that there are arrangements in place to ensure a healthy and safe working environment for all services for which it has responsibility.

11. Financial Implications

- 11.1 There are no financial implications of the recommendation contained within this report.

12. Equality and Diversity Implications (please ensure these are compliant with the EIA Guidance)

- 12.1 N/A

13. Background Documents

- 13.1 Highways and Transport Strategic Board (October 2023), 'Bus Service Improvement Plan and Bus Support Funding', [Highways and Transport Strategic Board 031023 - Bus Service Improvement Plan and Bus Support Funding.pdf \(modern.gov.co.uk\)](#)

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Westmorland
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Council

Appendix 1

Bus Service Improvement Plan Plus Funding

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Bus Service Improvement Plan Plus Funding - overview

- Allocated by Department for Transport in May 2023
- To target the actions that the Council and local operators believe will deliver the best overall outcomes in growing long term patronage, revenues and maintaining service levels whilst maintaining essential social and economic connectivity for local communities
- In addition, the grant may be used to ensure existing connections are maintained, increasing the frequency on key corridors or the operating hours of some services whilst reducing others or reducing fares or introducing new local concessions to open up new markets and revenue
- Funding allocated for 2023/24 and 2024/25
- Funding expected to 2028/29 from Network North



Bus Service Improvement Plan Plus Funding - council approach

- Phase 2 DFT (BSIP+) funding - - £824, 260
- Phase 3 DFT (BSIP +) funding - £1,289,000 (= £812,260 + £1,289,000 from Network North)
- = £2,113,260
- Reports presented to Highways and Transport Strategic Board – 12/09/23, 03/10/23 and 23/01/24
- Phase 1 : 12 routes withdrawn or reduced in previous 5 years
- Tender invitations issued in mid-December 2023 and tender awards confirmed in mid-January 2024
- Phase 2 : list of potential routes compiled, subject to public consultation
- Phase 2 : Stakeholder Engagement Plan produced
- Report to Highways and Transport Strategic Board - 04/06/24
- Decision making responsibility delegated to Director of Thriving Places in consultation with Leader of the Council, Cabinet Member for Transport and Environmental Services, Director of Resources and Chief Legal and Monitoring Officer



Barrow :

List of potential BSIP+ Schemes

Service			Also in
1. Bigger Bank - Hawcoat	Improve frequency of Sunday service		
2. Town Hall – West Shore	Add Evening Service Improve frequency of Sunday service		
3. Newbarns - Ormsgill	Improve frequency of Sunday service		
4. Holbeck Park - Hindpool	Improve daytime frequency to every 20 minutes (from 30 minutes)		
6. Barrow - Windermere	Improve Daytime frequency Add extra early and late journeys for access to work	✓	South Lakeland South Lakeland
X6. Barrow - Kendal	Improve daytime frequency from every 60 to every 30 minutes Add earlier arrival in Barrow from Kendal		South Lakeland South Lakeland



Eden (1 of 2) :

List of potential BSIP+ Schemes

Service			Also in
104 : Carlisle - Penrith	Increase frequent from every 60 to every 30 minutes	✓	Cumberland
104 : Carlisle - Penrith	Increase Sunday frequency from every 120 to every 60 minutes		
105 : Greystoke - Penrith	Offer new Daily service, possibly with links to other areas (for example Settle - Carlisle line at Langwathby)		
106 : Kendal - Shap - Penrith	Improve days of operation to Monday to Saturday and improve frequency		South Lakeland
508 : Windermere - Penrith	Improve Summer (2025) frequency to every 60 minutes from every 120 minutes		South Lakeland
561 : Appleby - Kendal	Re-introduce Wednesday service (using Council school transport vehicle)		South Lakeland

Eden (2 of 2) :

List of potential BSIP+ Schemes

Service			Also in
563 : Penrith - Kirkby Stephen	Re-introduce regular service from Kirkby Stephen - Penrith, six days a week, possibly with service at peak times.	✓ (part)	
646 : Penrith Town Service	Introduce early morning and later afternoon service - to complement existing daytime service		
680 : Nenthead - Carlisle	Re-introduce service twice a week - possible start one day at Garigill instead of Nenthead	✓	Cumberland
UB1 : Ullswater Service	Support new services provided on behalf of Sustainable Ullswater		
X4/X5 : Keswick - Penrith	Double frequency from every 60 to every 30 minutes to improve rail connections at Penrith	✓	Cumberland
X5 : Workington - Penrith	Maintain hourly Sunday Service through Winter		Cumberland



South Lakeland (1 of 3) :

List of potential BSIP+ Schemes

Service			Also In
6 : Barrow - Windermere	Improve Daytime frequency		Barrow
6: Barrow - Windermere	add extra early and late journeys for access to work	✓	Barrow
40 : Kendal Town [Sundays]	Retain previously Developer Funded service	✓	
106 : Kendal - Shap – Penrith	Improve days of operation to Monday to Saturday and improve frequency (working with existing local funding group and their operator)		Eden
505 : Coniston – Ambleside	Offer earlier journeys for work		
508 : Windermere – Penrith	Improve Summer (2025) frequency to every 60 minutes from every 120 minutes		Eden

South Lakeland (2 of 3) :

List of potential BSIP+ Schemes

Service			Also in
516 : Dungeon Ghyll - Ambleside	Offer earlier journeys for work		
532 : Cartmel - Grange	Offer extra journeys three days a week to compliment the 530 to Kendal	✓	
552 : Arnside - Kendal	Improve frequency from three to six days a week	✓	
555 : Keswick - Kendal	Improved Evening service		Cumberland Lancashire
561 : Appleby - Kendal	Re-introduce Wednesday service (using Council school transport vehicle)		Eden
564 : Sedbergh - Kendal	Re-introduce service to replace withdrawn Woof's of Sedbergh service. Potential extra enhancements	✓	



South Lakeland (3 of 3) :

List of potential BSIP+ Schemes

Service			Also in
567 : Kendal - Kirkby Lonsdale	Improve frequency to make better connections with service from Settle for access to/from Leeds-Settle-Carlisle rail line		
597 : Windermere Town Service	Improve days of operation from two to three	✓	
11 / X12 : Coniston - Barrow	Work with operator and X112 group to design and improved timetable. Possibly six days a week (X12) and access to Education (X12)		
X6 : Barrow - Kendal	Improve daytime frequency from every 60 to every 30 minutes Earlier arrival in Barrow from Kendal		Barrow Barrow

Consultation journey:

- Between March 19th and April 30th, 2024, key stakeholders and members consulted, to inform the Council's decision around how BSIP+ funding is allocated.
- Emails to members and Stakeholders
- Online public consultation, with paper copies available to complete in libraries – 600 responses received
- Locality Board presentations: Barrow, Eden, South Lakes, held in March
- Town & Parish Councils: Furness, Eden, South Lakes - April
- Stakeholder Engagement meeting – 25.03.24
- Online public drop-in feedback session – 24.04.24
- Face to face public drop-in sessions: Barrow, Grange Over Sands, Kendal, Penrith, Sedbergh, Kirkby Stephen, Ulverston - April
- All completed sessions well attended with positive engagement from attendees



Funding

- Revenue funding so can also be used for
 - Fares Experiments
 - Marketing of new services
 - Expansion of Demand Responsive Transport
- Cannot be used for Capital projects such as
 - Bus shelters
 - Realtime Information Screens
 - New vehicles



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Report Title	Committee Update Report
Meeting	Communities and Environment Scrutiny Committee
Meeting Date	23 April 2024
Report Author	Tracey Moran, Strategic Policy and Scrutiny Advisor
Lead Cabinet Member(s)	Cllr Giles Archibald, Climate and Biodiversity Cllr Judith Derbyshire, Housing and Homelessness Cllr Neil Hughes, Transport and Environmental Services Cllr Dyan Jones, Customer and Waste Services Cllr Virginia Taylor, Sustainable Communities and Localities Cllr Peter Thornton, Highways and Assets
Wards Affected	All
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	<ol style="list-style-type: none"> 1. Cabinet Forward Plan 2. Communities and Environment Scrutiny Committee Work Programme

1. Executive Summary

- 1.1 The report asked Members to consider both the Cabinet Forward Plan of Key Decisions and the Communities and Environment Scrutiny Committee Work Programme. The report also details any activity since the last meeting of the Communities and Environment Scrutiny Committee.

2. Recommendations

For the reasons set out in this report, Communities and Environment Scrutiny Committee is recommended to:

- 2.1 Consider the Cabinet Forward Plan of Key to identify potential areas for scrutiny activity or where further information sharing is required (Appendix 1).
- 2.2 Review and provide feedback on the Committee Work Programme to ensure effective, impactful scrutiny activity (Appendix 2).
- 2.3 Identify areas on which Committee Members require further information or other action to support their scrutiny role.
- 2.4 Note the informal activity since the last meeting of the Communities and Environment Scrutiny Committee.

3. Information: the Rationale & Evidence for the Recommendations

- 3.1 The Cabinet Forward Plan of Key Decisions can be used to identify potential areas for scrutiny activity or where further information sharing is required.
- 3.2 The current Cabinet Forward Plan of Key Decisions 1 May 2024 to 30 August 2024 is attached at appendix 1.
- 3.3 Members are asked to consider the Cabinet Forward Plan of Key Decisions and decide whether they should be reflected in the Committee's work programme.
- 3.4 The Committee's Work Programme is attached at appendix 2. This is a live document; it is for this Committee to discuss and further develop.

Informal Activity

- 3.5 Council Plan Delivery Framework - informal scrutiny session held on 27 March 2024, hosted by Corporate Overview and Scrutiny Committee.
- 3.6 Performance Management Framework- informal scrutiny session held on 5 March 2024, hosted by Corporate Overview and Scrutiny Committee.
- 3.7 Community and interest groups contacted to provide information that could support the Committee in relation to the 'Water Quality Regulation' item at the April Committee Meeting.

4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)

- 4.1 Supporting active, healthy, happy lives for young and old
- 4.2 Providing leadership in the drive to become carbon net zero
- 4.3 Confident empowered, resilient communities
- 4.4 Sustainable, inclusive economic growth

5. Consultation Outcomes

- 5.1 Not applicable

6. Alternative Options Considered

- 6.1 Not applicable

7. Reasons for the Recommendations

- 7.1 Not applicable

8. Climate and Biodiversity Implications

- 8.1 Not applicable

9. Legal and Governance Implications

- 9.1 Under the Constitution, the Communities and Environment Scrutiny Committee may scrutinise matters coming before Cabinet. This report contains the Forward Plan of proposed Cabinet decisions, so Members of the Committee may identify any potential areas for future scrutiny activity.

10. Human Resources Health Wellbeing and Safety Implications

- 10.1 There are no HR health, wellbeing and safety implications based on the information contained in the report.

11. Financial Implications

- 11.1 There are no financial implications based on the information contained in the report.

12. Equality and Diversity Implications (please ensure these are compliant with the EIA Guidance)

- 12.1 EIA not required

13. Background Documents

- 13.1 No additional background papers

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WESTMORLAND AND FURNESS COUNCIL

FORWARD PLAN OF KEY DECISIONS (1 MAY 2024 - 31 AUGUST 2024)

PUBLISHED 28 MARCH 2024

WESTMORLAND AND FURNESS COUNCIL

FORWARD PLAN OF KEY DECISIONS

Explanatory Note

The Council is required to publish a Forward Plan of all key decisions to be taken in the following four months. This Plan begins on 1 May 2024 and replaces the Plan published on (DATE). It will be updated monthly and will be available on the last working day of each month. Previous versions of the Plan can also be found on the Council's website.

<https://westmorlandandfurness.moderngov.co.uk/mgListPlans.aspx?RPId=223&RD=0>

The Forward Plan shows details of key decisions to be taken by the Council's Cabinet and by Officers under their delegated powers. It also shows significant decisions to be taken by the Cabinet which are not Key Decisions.

A key decision is:

- (a) an executive decision which is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates, or
- (b) is likely to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the Council. For these purposes, savings and expenditure are "significant" if they are equal to or greater than £500,000.

For clarification, no treasury management decision shall constitute a Key Decision.

In determining the meaning of "*significant*" for these purposes the Authority will have regard to any guidance for the time being issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000, and the advice of the Authority's statutory officers

The Plan shows:-

- when these decisions will be made
- who will make the decision
- to whom representations can be made and how
- what documents relating to those decisions will be available and when.

The Plan also shows those non key decisions that are part of the Council's Budget and Policy Framework and all items appearing on Cabinet that are non key decisions.

Once they are available copies of documents referred to in the Plan may be obtained on the Internet, or by e-mail Jackie.Currie@westmorlandandfurness.gov.uk

A report to the decision maker will be available one week before the Meeting. However, in a small number of cases it may not be possible to make available certain documents as they contain confidential information.

The Plan is available free of charge on request from

Jackie.Currie@westmorlandandfurness.gov.uk.

Cllr Jonathan Brook
Leader of the Council

FORWARD PLAN OF KEY DECISIONS 1 MAY 2024 TO 31 AUGUST 2024

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Date of Decision	Subject	Decision Maker	Lead Cabinet Member	Lead Officer to who representations can be made	Consultation (if any)	Key or Non Key Decision	Public (Part I) or Private (Part II) Decision	Relevant Scrutiny Committee
14 May 2024	Award of Contract - Borderlands 5G Innovation Regions Programme Procurement To seek delegated authority to award a contract valued up to £10m for the procurement of specialist advanced wireless services to support the Borderlands 5G Innovation Regions Programme.	Joint Executive Committee	Cabinet Member for Customer and Waste Services	Angela Jones, Director of Thriving Places angela.jones@westmorlandandfurness.gov.uk		Yes	Part exempt	Corporate Overview and Scrutiny Committee
4 Jun 2024	Approval of "Children and Young People's Plan - Ambition for Every Child"	Cabinet	Cabinet Member for Children's Services, Education and Skills	Milorad Vasic, Director of Children's Services Milorad.Vasic@westmorlandandfurness.gov.uk		No	Public	Children, Young People and Families Scrutiny Committee

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Date of Decision	Subject	Decision Maker	Lead Member / Portfolio Holder	Lead Officer to who representations can be made	Consultation (if any)	Key or Non Key Decision	Public (Part I) or Private (Part II) Decision	Relevant Scrutiny Committee
4 Jun 2024	Corporate Performance Monitoring Report - Quarter 4 2023/24	Cabinet	Leader of the Council	Alison Hatcher, Assistant Chief Executive alison.hatcher@westmorlandandfurness.gov.uk		No	Public	
4 Jun 2024	Strategic Asset Management Strategy 2024-2029 Westmorland and Furness Council adopt a Strategic Asset Management Strategy 2024-2029. The strategy sets out how our land and buildings can support the Council's vision through the way we shape, plan, manage, and maintain our buildings.	Cabinet	Cabinet Member for Highways and Assets	Pam Duke, Director of Resources (Section 151 Officer) pam.duke@westmorlandandfurness.gov.uk		Yes	Public	Corporate Overview and Scrutiny Committee

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Date of Decision	Subject	Decision Maker	Lead Member / Portfolio Holder	Lead Officer to who representations can be made	Consultation (if any)	Key or Non Key Decision	Public (Part I) or Private (Part II) Decision	Relevant Scrutiny Committee
16 Jul 2024	2023/24 Revenue and Capital Provisional Outturn To consider and note the 2023/24 revenue and capital outturn, General Fund balance, HRA balance, treasury management position, transfers to reserves and slippage/accelerated spend on the capital programme.	Cabinet	Cabinet Member for Finance	Pam Duke, Director of Resources (Section 151 Officer) pam.duke@westmorlandandfurness.gov.uk		Yes	Public	Corporate Overview and Scrutiny Committee
16 Jul 2024	Community Power Strategy To approve a Community Power strategy for the organisation.	Cabinet	Cabinet Member for Sustainable Communities and Localities	Steph Cordon, Director of Thriving Communities steph.cordon@westmorlandandfurness.gov.uk		No	Public	Communities and Environment Scrutiny Committee

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Date of Decision	Subject	Decision Maker	Lead Member / Portfolio Holder	Lead Officer to who representations can be made	Consultation (if any)	Key or Non Key Decision	Public (Part I) or Private (Part II) Decision	Relevant Scrutiny Committee
16 Jul 2024	Award of Contract - Reactive, Statutory & Planned Maintenance Measured Term Contract To award contract for the provision of Reactive, Statutory & Planned Maintenance Measured Term Contract for the council's corporate estate for an initial three-year term from 1 October 2024 with an option for up to two further two-year extensions to 30 September 2031.	Cabinet	Cabinet Member for Highways and Assets	Pam Duke, Director of Resources (Section 151 Officer) pam.duke@westmorlandandfurness.gov.uk		Yes	Public	Communities and Environment Scrutiny Committee

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Date of Decision	Subject	Decision Maker	Lead Member / Portfolio Holder	Lead Officer to who representations can be made	Consultation (if any)	Key or Non Key Decision	Public (Part I) or Private (Part II) Decision	Relevant Scrutiny Committee
Not before 1st May 2024 172	Award of Contract - Construction of Cavendish Dock Road Junction Improvements This paper seeks approval from the Director to appoint a contractor to provide an upgraded fit for purpose junction to the southwest of the Marina Village site connecting Cavendish Dock Road to Strand/Salthouse. This project will remove a major constraints to further private sector development on the Marina Village site.	Director of Thriving Places	Cabinet Member for Highways and Assets	Angela Jones, Director of Thriving Places angela.jones@westmorlandandfurness.gov.uk		Yes	Public	Communities and Environment Scrutiny Committee

Date of Decision	Subject	Decision Maker	Lead Member / Portfolio Holder	Lead Officer to who representations can be made	Consultation (if any)	Key or Non Key Decision	Public (Part I) or Private (Part II) Decision	Relevant Scrutiny Committee
Not before 3rd Jun 2024 173	Award of Contract for Phase 2 works of the Grange-Over-Sands Flood Alleviation Scheme To award a contract to the bidder selected by the tender evaluation process for the construction of Phase 2 of the Grange scheme.	Director of Thriving Places	Cabinet Member for Highways and Assets	Angela Jones, Director of Thriving Places angela.jones@westmorlandandfurness.gov.uk		Yes	Public	Communities and Environment Scrutiny Committee

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Not before 8th May 2024 174	Award of Contract: Lakeland House, Barrow - Improvement Project To award a design and build contract to deliver capital improvement works at Lakeland House, Barrow in Furness enabling Drop Zone Youth projects to enhance their youth offer.	Director of Thriving Communities	Cabinet Member for Sustainable Communities and Localities	Steph Cordon, Director of Thriving Communities steph.cordon@westmorlandandfurness.gov.uk		Yes	Public	Communities and Environment Scrutiny Committee

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Not before 3rd Jun 2024 175	The Provision of Care and Support Services in Extra Care Housing at Lonsdale Extra Care Housing Scheme in Penrith To award a contract for the Care and Support Service at Lonsdale Court Extra Care Housing Scheme in Penrith.	Director of Adult Social Care	Cabinet Member for Adults, Health and Care	Cath Whalley, Director of Adult Social Care Cath.Whalley@westmorlandandfurness.gov.uk		Yes	Public	
Not before 1st Jul 2024	Award of Contract for North Walney Active Travel Scheme To award a contract for the build of the North Walney Active Travel Scheme.	Director of Thriving Places	Cabinet Member for Highways and Assets	Angela Jones, Director of Thriving Places angela.jones@westmorlandandfurness.gov.uk		Yes	Public	Communities and Environment Scrutiny Committee

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COMMUNITIES AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE			
	Issue	Description	Timeline
Scrutiny Activity	Housing	Scrutiny Review of Strategic approach to Housing provision in Westmorland & Furness to be undertaken jointly with Health & Adults Scrutiny Committee and Children and Young People Scrutiny Committee	Scoping: April/May 2024
Committee meetings	Community Safety Partnership	To review the Community Safety Partnership work programme and delivery (annual item)	Steph Cordon Tracey Ingham Rob Grigorjevs July 2024
	Flood and Coastal Risk Management	Role of W&F as Lead Local Flood Authority – ordinary watercourses, surface water, ground water and other Risk Management Authorities – Environment Agency (rivers and sea), United Utilities and highways (W&F highways and National Highways).	Angela Jones July 2024
	Waste	Impact of National Waste Strategy and the Council's approach	Angela Jones July 2024
	EV Charging	Local Electric Vehicle Infrastructure (LEVI) funding utilisation and planning for EV Charging Strategy Phase 2	Angela Jones Oct 2024
	Culture Compact	Strategy development – pre decision scrutiny	Steph Cordon David Haughian TBC
	Leisure Strategy	Strategy development – pre decision scrutiny	Steph Cordon David Haughian TBC

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